

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38213 of 2018

Arising Out of PS. Case No.-702 Year-2017 Thana- HILSA District- Nalanda

Shyam Paswan, Son of Anandi Paswan, R/o Village- Reri, P.S.- Hilsa,
District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Singh

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Hilsa P.S.
Case No. 702 of 2017 for offences punishable under Sections
341, 323, 307, 504, 506, 379/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that co-accused Shakti Paswan was teasing his son Sidhnath
Singh who is of low mental caliber, thereafter, when the
informant objected the co-accused Shakti Singh abused and
called other four people and 3-4 unknown persons including the
petitioner who assaulted the informant. Allegation upon the
petitioner is of assaulting the informant's nephew by a lohbandi
on his head.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that the injury on the head has been found to be simple in nature as it is a lacerated wound and the opinion of the medical doctor of injury on the shoulders to be grievous is not on the vital part of the body. The petitioner is languishing in judicial custody since 28.05.2018.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa (Nalanda), in connection with Hilsa P.S. Case No. 702 of 2017, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) Petitioner will co-operate with the investigation, not tamper with the evidence and be present before the



police station/Court as and when required, failing
which his bail bonds will be liable for cancellation.

(Nilu Agrawal, J)

Rajesh/Pragya

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