

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38947 of 2018

Arising Out of PS.Case No. -54 Year- 2018 Thana -MASAURHI District- PATNA

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Ajit Paswan Son of Kumar @ Kumar Paswan Resident of Village-
Salempur, P.S. Karauna, District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 05-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Sessions Trial
No. 303 of 2018 arising out of Masaurhi P.S. Case No. 54 of 2018
for offences punishable under Sections 302/201/120(B)/34 of the
Indian Penal Code.

The prosecution case, as lodged by the Dafadar of
Masaurhi Police Station is that he found a dead body of a lady 35-
40 years of age in the field. From the body it was found that her
throat had been slit and also other injuries were found.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the FIR and during
course of investigation, it was found that the body was of one



Jayanti Devi @ Vaijanti Devi and it was for stealing image which she was carrying on the confessional statement of one Raju Kumar, petitioner is alleged to be one of the accomplices. He submits that two of the co-accused who were also accomplices of the said Raju Kumar have already been granted the privilege of bail by a coordinate bench of this Court in Cr. Misc. No. 34082 of 2018 on 20.06.2018 and Cr. Misc. No. 41194 of 2018 on 12.07.2018. He submits that there is no eye witness to the alleged occurrence and only on the basis of confessional statement and suspicion, the petitioner has been made accused. He submits that charge-sheet has already been submitted and the petitioner is languishing in judicial custody since 27.02.2018.

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 Sessions Judge-IV, Patna in connection with Sessions Trial No. 303 of 2018 arising out of Masaurhi P.S. Case No.54 of 2018, subject to the conditions that:

- (1) 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.

- (2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/Priyanka

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