

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50549 of 2018

Arising Out of PS. Case No.-26 Year-2018 Thana- CHAUTHAM District- Khagaria

Umesh Paswan S/o Late Ramnath Paswan, R/o Vill.- Saraiya, P.S.- Chautham,
District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 30-08-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Chautham P.S. Case No. 26 of 2018 registered for the offence punishable under Sections 147, 341, 342, 323, 307, 379, 504, 506 of the Indian Penal Code and later on Section 302 of I.P.C. was added.

Informant has alleged in his fardbeyan that on account of dispute between two persons, he went to pacify them but thereafter all accused named in the FIR assaulted his son from bamboo stick on his head and he fell down and was brought to hospital, however, on 27.02.2018 he died while undergoing treatment.



It has been submitted on behalf of the petitioner that there is no specific allegation of any overt act against him. There is general and omnibus allegation against all the family members who have been implicated in this case on account of land dispute between the parties. Petitioner was not present at the place of occurrence and he was performing his duty. He has no criminal antecedent and he is in custody since 03.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Khagaria, in connection with Chautham P.S. Case No. 26 of 2018.

(S. Kumar, J)

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