

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57334 of 2018

Arising Out of PS.Case No. -99 Year- 2018 Thana -DESARI District- VAISHALI(HAJIPUR)

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Shiv Balak Paswan S/o Late Puran Paswan, R/o Vill.- Bhagwatipur, P.S.-
Desari, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ramesh Kumar Choudhary, Adv.

For the Opposite Party : None.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 08-10-2018

Heard learned counsel for the petitioner.

Despite valid service of notice and repeated calls,
Md. Ashlam Ansari, learned Additional Public Prosecutor for
the State did not appear to assist the Court.

The petitioner seeks pre-arrest bail in connection
with Desari P. S. Case No.99 of 2018 registered under Sections
304B and 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that
the petitioner is an old man aged 80 years. He does not belong
to the family of the husband of the deceased. From perusal of
the first information report itself, it would appear that his name
has been given in the written report only because he deceived
the informant and allowed the accused persons to escape. He



further submitted that the petitioner has got no criminal antecedent and having got roots in the society, he is not likely to abscond or tamper with the evidence.

Considering the allegation made in the FIR as against the petitioner as also the submission that the petitioner is not in any manner related to the husband of the victim, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in Desari P. S. Case No.99 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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