

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5529 of 2019

Arising Out of PS. Case No.-266 Year-2018 Thana- ATRI District- Gaya

Awadh Paswan, aged about 38 years, Male, S/o Sidheshwar Paswan,
resident of village - Narawat, P.S-Atri, District, Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 06-03-2019

Heard learned counsel for the parties.

Petitioner seeks bail in Atri P.S. Case No. 266/18
registered for the offence punishable under Sections 304/34 of
the Indian Penal Code.

Informant has alleged that the co-accused, Sanjeet
Kumar on the pretext of getting the delivery operation of his
sister to be done by a doctor from outside but he himself and
other co-accused had done the operation of his sister leading to
her death.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case due to
political enmity. It has further been submitted that there is no
specific allegation against the petitioner of operating the
deceased. It has further been submitted that a false and



concocted story has been cooked up as the date and time of the occurrence has not been mentioned. Petitioner has no criminal antecedent and he is in custody since 10.10.2018.

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/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Atri P.S. Case No. 266/2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for



cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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