

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1828 of 2019

Arising Out of PS. Case No.-106 Year-2017 Thana- MANPUR District- Nalanda

Shankar Paswan aged 63 years, Gender, male, son of Mahavir Paswan @
Karu Paswan Resident of Village – Tetrawan, P.S. Manpur, District, Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	M/s A. K. Thakur Babita Kumari Sweta Kumari Swati Sinha, Advocates
For the Opposite Party/s :		Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 07-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Manpur P.S. Case No. 106 of
2018 registered for the offence punishable under Sections
302/34 of the Indian Penal Code.

Informant in his written complaint has stated that on
16.07.2018 his father was returning from the field and he has
reached the *bargad tree*, some unknown persons fired upon him
as a result of which, he died.

It has been submitted on behalf of the petitioner that
informant has not named any person in the F.I.R. and there is no
eye-witness as well. Subsequently, in his re-statement, he has
suspected that petitioner may have killed his father as he had



illicit relation with the wife of the petitioner and it has been submitted on behalf of the petitioner that he has been implicated in this case only on the basis of suspicion and his confessional statement. Petitioner has no criminal antecedent and he is in custody since 23.07.2018.

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/- with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge, 7th, Nalanda at Bihar Sharif in connection with Manpur P.S. Case No. 106 of 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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