

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8348 of 2019

Arising Out of PS. Case No.-169 Year-2016 Thana- JALE District- Darbhanga

RAJU PASWAN, aged about 28 years(M), S/o Tufani Paswan, resident of village-Baghaul,P.S-Jalley, district Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shama Sinha
For the Opposite Party/s : Mr.Ashraf Ansari

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-02-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is languishing in judicial custody since 11.08.2016 in connection with Sessions Trial No. 478 of 2016, arising out of Jale P.S. Case No. 169/2016 for offences punishable under Section 307 and other allied Sections of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that the petitioner came to the door of the informant armed with Tengari and hit Dilip Paswan, who received 5 cut injuries on his head. The cause of dispute is that a year earlier there was a fight between the petitioner and Dilip Paswan(the injured) regarding some money.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and the injury report, although specifies grievous injury, but the injured has recovered and discharged from the hospital. He submits that the petitioner has been languishing in judicial custody for more than 2 ½ years and undertakes to cooperate in the trial on day-to-day basis.

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 5th Additional Sessions Judge, Darbhanga, in connection with Sessions Trial No. 478 of 2016, arising out of Jale P.S. Case No. 169/2016, subject to the following conditions :

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)

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