

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18313 of 2019**

Arising Out of PS. Case No.-147 Year-2016 Thana- PANDARAK District- Patna

BANARAS PASWAN Son of Ramkishun Paswan Resident of Village- Kondi,
P.S.- Pandarak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

4 02-07-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Pandarak P.S.Casae No.147 of 2016 dated 11.11.2016 , registered for offences punishable under Sections 302/34 of the Indian Penal Code.

Prosecution story as per FIR is that while the father of the informant was sitting at his house, the accused persons came with intention to grab the land and assaulted his father by fists and slaps and due to that he died.

Submission of the learned counsel for the petitioner is that the FIR disclose that the allegation is only of assault by fists and slaps and the postmortem report does not show any injury on the person of the deceased and the cause of death is



not ascertained, though the viscera report has been kept reserved.

Heard learned A.P.P., who has opposed the prayer for bail on the ground that the occurrence took place with respect to installation of the hand pump and for that the accused persons assaulted the deceased.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-Ist, Barh in connection with Pandarak P.S.Case No.147 of 2016, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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