

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21780 of 2019

Arising Out of P.S. Case No.-124 Year-2018 Thana- PATAHI District- East Champaran

VISHAL PASWAN, aged about 30 years, Male, Son of Late Surendra Paswan
Resident of Rupni Hazam Tola, P.S.- Patahi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-04-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
04.10.2018 in connection with Patahi P.S.Case No.124 of 2018
for the offence alleged under Section 307 and other allied
Sections of the Indian Penal Code.

The prosecution case as lodged by the informant is
that her son Mintu Paswan had gone for some work outside the
house and the petitioner along with 5-4 named accused and two
unknown surrounded him on the way. The petitioner inflicted a
knife blow on the abdomen of her son. On alarm she rushed to
the place of occurrence who was cutting grass nearby. The
injured, the son of the informant was taken to the hospital.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that because of being inimical terms on account of some complain of ration distribution, the petitioner has been falsely implicated. He further submits that chargesheet has already been submitted, there being no allegation of tampering with the prosecution evidence. Petitioner undertakes to cooperate in the trial on day to day basis.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and three more cases of similar nature are pending against him.

Considering the nature of allegations, the materials on record and that chargesheet has already been submitted as well as the period of custody, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Patahi P.S.Case No.124 of 2018 to the satisfaction of learned Additional Chief Judicial Magistrate-8th, Motihari, East Champaran, subject to the following conditions:-

(i) 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.

(ii) 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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