

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35738 of 2019

Arising Out of PS. Case No.-63 Year-2019 Thana- PATEPUR District- Vaishali

SURAJ PASWAN, S/o Harischandra Paswan @ Harichandra Paswan, R/V Sakrauli, P.S. Patepur, Distt. Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 28-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with Patepur P.S. Case No. 63 of 2019 registered for the offence punishable under Sections 302, 201 and 34 of the Indian Penal Code.

As per allegation in the FIR, the husband of the informant was taken away by the petitioner, co-accused Guddu Kumar Paswan and three unknown persons. It is stated that subsequently on the next day, body of the husband of the informant was found and on inquiry, three accused persons including the petitioner told that the informant's husband has committed suicide. It is further stated that due to pressure of the accused persons, informant cremated her husband and



thereafter she caught hold of the petitioner and produced him in the police station.

It is submitted by learned counsel for the petitioner that the alleged occurrence is said to have taken place on 17-18.03.2019 and FIR was lodged on 21.03.2019 without any explanation for the inordinate delay. There is no eye witness to the occurrence. Petitioner has no criminal antecedent and is in custody since 22.03.2019.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that there is delay in lodging the FIR, he is in custody since 22.03.2019 and has no criminal antecedent, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-X, Vaishali at Hajipur in connection with Patepur P.S. Case No. 63 of 2019.

(Partha Sarthy, J)

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