

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38251 of 2019

Arising Out of PS. Case No.-122 Year-2018 Thana- MAINATAND District- West Champaran

RAJKUMAR PASWAN Son of Late Dasai Paswan Resident of Village-
Santpur Pipra, P.S.- Mainatand, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 01-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Section 363 of the Indian Penal Code but later sections 364(A) and 302 of the Indian Penal Code were added.

The prosecution case in short is that the son of the informant left house to see cultural programme but did not return and later his dead body was found.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.10.2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. The petitioner is not named in the



F.I.R. There is no allegation of abduction alleged against the petitioner. There is no eye witness to the alleged occurrence. The name of the petitioner has transpired on the basis of his confession made before the police. The same has got no evidenciary value.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bettiah, West Champaran in connection with Mainatand P.S. Case No. 122 of 2018.

(Sudhir Singh, J)

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