

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48469 of 2019

Arising Out of PS. Case No.-241 Year-2018 Thana- BHAGWANPUR District- Begusarai

NIRDOSH PASWAN Son of Shiv Prasad Paswan @ Jhun-Jhun Paswan
Resident of Village- Garda, P.S.- Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha
For the Opposite Party/s : Ms.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 05-08-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Bhagwanpur P.S. Case No. 241 of 2018.

3. It is submitted that the petitioner has been falsely implicated in connection with death of the informant's eight years old son as a result of celebratory firing during a marriage function. It is submitted that the specific accusation of firing causing death of the informant's son is attributed to co-accused Amarjeet Paswan and the offence alleged under Section 302 IPC is not made out against the petitioner. Similarly situated co-accused Deepak Kumar @ Deepak Paswan has been granted anticipatory bail by this Court in Cr. Misc. No. 31238 of 2019. The petitioner is accused in one prior case of different nature.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned



CJM, Begusarai, in connection with Bhagwanpur P.S. Case No. 241 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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