

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67518 of 2019

Arising Out of PS. Case No.-627 Year-2019 Thana- BIHTA District- Patna

Vijay Paswan, Gender – Male, aged about 30 years, S/o Naulakh Paswan, R/o Choukipur, P.S.- Rani Talab, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajeev Ranjan, Advocate
		Mr.Mithilesh Kumar Upadhyay, Advocate
For the Opposite Party/s :		Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-12-2019 Heard learned counsel for the petitioner, the informant and learned A.P.P. for the State.

The petitioner seeks bail in connection with Bihta P.S. Case No. 627 of 2019 registered for the offences punishable under Sections 302, 34 and 120(B) of the Indian Penal Code.

The prosecution case, in brief is that one Pasuram Paswan, who happened to be the informant of this case lodged this instant case alleging therein that his elder son namely Makun Paswan has left the house on dated 30.06.2019 for going to his father-in-law house (Sasural) but could not reach there and during search, it transpires that his dead body was lying at Mithapur, Bihta and motorcycle was thrown by side of



canal. It is further alleged in the F.I.R. that petitioner along with other used to give threatening for dire consequences and on 27.05.2019, the petitioner and other co-accused have given threatening for killing his son. Therefore, the informant alleged in the F.I.R. that the petitioner and other have committed murder of his son.

Learned counsel for the petitioner submits that the petitioner is innocent and he has not committed any offence and he is in judicial custody since 06.07.2019 having clean antecedent. Learned counsel for the petitioner further submits that the charge sheet has been submitted and there is no allegation against the petitioner to tamper with the witnesses.

Learned counsel for the informant submits that the petitioner is named in the F.I.R. and there is serious and direct allegation against the petitioner. The petitioner is in jail custody since 06.07.2019 and there is general and omnibus allegation against the petitioner and there is no eye witness in the present case.

In the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the



like amount each to the satisfaction of A.C.J.M.-I, Danapur in connection with Bihta P.S. Case No. 627 of 2019, subject to the following conditions :

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) 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 reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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