

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6220 of 2020**

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

PARMANAND PASWAN Son of Nawlakh Paswan Resident of Village -
Dorapur, P.S.- Rani Talab, Distt.- Patna. Permanent address - Prakanha
Chowki, P.S.- Rani Talab, Dist.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Upadhyay, Advocate
Mr. Ranjan Kumar, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 09-06-2020 This application has been placed for consideration by
the order of the Hon'ble the Chief Justice through virtual court
proceeding.

Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the informant.

The petitioner in the present case is seeking regular 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.

Learned counsel for the petitioner submits that as per
the first information report, the son of the informant while going
to his Sasural on 30.06.2019 at about 7:30 pm was found
murdered near Mithapur Bihta P.S. Bridge. Informant named
altogether nine persons including this petitioner alleging that in



past also these persons had assembled at his house and had threatened to kill his son. It is alleged that on 27.05.2019 the accused Bhola Paswan, Binay Paswan and Bijay Paswan had threatened to kill the son of the informant.

Learned counsel submits that although the petitioner is named in the FIR on the ground of prior enmity but the petitioner has no criminal antecedent and no prior enmity has been made reported against the petitioner. It is further submitted that the co-accused Vijay Pasan against whom there is allegation that on 27.05.2019 he had threatened the son of the informant has been granted bail by a learned co-ordinate Bench of this Court.

It is further submitted that in course of investigation it has also come that the deceased was a driver and recently he met with an accident in which one Mukhiya Paswan was killed and family of said Mukhiya Paswan had threatened the son of the informant.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case as also that in course of investigation no material seems to have been collected against the petitioner's participation in the alleged occurrence and in paragraphs 13 and 14 of the case diary which have been read over to this Court it has come that the deceased had



recently met with an accident in which one Mukhiya Paswan was killed and the family of said Mukhiya Paswan threatened to take revenge as also that the petitioner has no criminal antecedent, he is in custody for six months, investigation against him is complete and there is no submission on behalf of the State that the release of the petitioner at this stage is in any way likely to adversely affect the course of trial, let the petitioner above named be released on bail in connection with Bihta P.S. Case No. 627 of 2019 on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction learned Additional Chief Judicial Magistrate-I, Danapur, Patna, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.



And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

