

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25720 of 2020

Arising Out of PS. Case No.-217 Year-2019 Thana- HASANPUR District- Samastipur

Botal Paswan @ Sri Paswan @ Kishun Paswan S/o Late Dhanik Paswan
Resident of Village-Naya Nagar, P.S.-Hasanpur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Adv.

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 14-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The instant application for regular bail has been filed by the petitioner in connection with Hasanpur P.S. Case No.217 of 2019 registered under sections 302, 201 and 34 of the Indian Penal Code.

As per allegation in the FIR, on the husband of the informant not returning home, it is stated that inquiries were made and it transpired that one Jagat Paswan and this petitioner had abused the husband of the informant and beaten him up. On the next day the dead body of the husband of the informant was discovered.

It is submitted by learned counsel for the petitioner that admittedly, the informant is not an eye witness to the occurrence nor in the F.I.R. does she give the source of her



information for raising unfounded suspicion against the petitioner. It is further submitted that in course of investigation one of the witnesses who claims to be an eye witness to some altercation has stated that it was Ram Dalit Paswan who pushed the husband of the informant as a result of which he fell down unconscious. It is submitted that the petitioner is in custody since 24.1.2020 and has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the material that has come in course of investigation and the petitioner being in custody since 24.1.2020, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Hasanpur P.S. Case No.217 of 2019 on his furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Rosera.

(Partha Sarthy, J)

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