

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29760 of 2020

Arising Out of PS. Case No.-503 Year-2016 Thana- HAJIPUR SADAR District- Vaishali

AKHILESH PASWAN S/o Ramchandra Paswan Resident of Village-Kajari
Bujurg, P.S.-Jandaha, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr. Nityanand

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-11-2020 Due to COVID-19 Pandemic, the matter is being taken up by
way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks
after restoration of normalcy.

Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under Sections
341, 323, 325 and 307 of the Indian Penal Code.

Prosecution case in short is that on 29-12-2016, at about 4.00
p.m. the petitioner Akhilesh Paswan (prisoner) assaulted one Subhash
Rai on his head while he was asleep by handle of the hand pump and
due to which, Subhash Rai (prisoner) sustained injury.



It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. Charge sheet/Prosecution report in this case has already been submitted. The petitioner is in custody since 16-01-2017. The petitioner has been falsely implicated in the present case. There was a scuffle between the in-mates inside the jail. The petitioner had no intention to cause death of the victim. At best, it is a case under Section 325 of the Indian Penal Code. The petitioner has remained in custody,for approximately three years.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 503 of 2016.

(Sudhir Singh, J)

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