

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67683 of 2019

Arising Out of PS. Case No.-95 Year-2018 Thana- NIMACHANDPURA District- Begusarai

SHYAM PASWAN Son of Ramchandrar Paswan Resident of Village -
Neemachandpura, P.S.- Neemachandpura, Distt - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s	:	Mr. Rana Randhir Singh, APP
For the Informant	:	Mr. S.K. Lal, Advocate

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 04-03-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offence punishable under Section 302/34 of the Indian Penal
Code.

According to FIR, the petitioner bitterly assaulted
with Khanti to Rampravesh Paswan as a result whereof
Rampravesh Paswan died.

Learned counsel for the petitioner submits that other
three eyewitnesses have stated before the police that all the FIR
named five accused persons had committed assault. The doctor
has found single injury on the head caused by heavy hard and
blunt substance which is not possible from a Khanti. Hence,



the entire prosecution case is inconsistent with the medical evidence.

Learned counsel for the informant opposed the prayer for bail on the ground that specific allegation is there against the petitioner.

Considering the aforesaid material especially the fact that petitioner has got no criminal antecedent and is in custody since 07.08.2019 as well as completion of investigation, 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 the learned Court-below where the case is pending in connection with Neemachandpura P.S. Case No.95 of 2018, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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