

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80702 of 2019

Arising Out of PS. Case No.-62 Year-2015 Thana- BAHERI District- Darbhanga

SHYAM PASWAN, aged about 45 years (Male), Son of Bhola Paswan,
Resident of Village - Kalyanpur Mahua, P.s.- Baheri, Distt.- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Kedar Jha, Advocate.

For the Opposite Party : Mr.Md. Fahimuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-05-2020 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.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences under Sections 448, 420, 364/34 of the I.P.C.

The prosecution case, in short, is that accused persons
came at the house of the informant and they took away her
husband but her husband did not return home, then she went to
the house of accused persons and asked about her husband upon
which, the petitioner replied that her husband has gone to
Sasural and he would return after 2-4 days but her husband did



not return. It is further alleged that earlier the petitioner took away her husband and got executed sale deed of land from him. The informant believed that any mishappening may be happened with her husband.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.09.2019 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. The date of occurrence is said to be 09.03.2015 as to when F.I.R. was instituted on 24.03.2015. The delay has not been explained by the prosecution. It is further submitted that on 09.03.2015 the wife of the petitioner was admitted in the hospital for which an F.I.R. was instituted. Annexure-2 to the petition falsifies the allegation made by the informant.

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

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned A.C.J.M.-9, Darbhanga in connection with Baheri P.S. Case No. 62 of 2015, corresponding to Trial No. 3133 of 2019.



Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

