

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.18680 of 2021

Arising Out of PS. Case No.-199 Year-2019 Thana- JHANJHARPUR District- Madhubani

MITHUN PASWAN Son of Sigul Paswan @ Shibul Paswan Resident of Village-Balmohan, P.S.-Phulparas, District-Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Kumari Shubham, Advocate

For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 13-12-2021 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Jhanjharpur P.S. Case No. 199 of 2019 for the offence registered under Sections 302, 201, 34 and 120B of the Indian Penal Code and Sections 3, 4, 5 and 6 of Explosive Substance Act, 1905.

The allegation is regarding involvement of the accused persons including the petitioner herein in the murder of the deceased father of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in some other criminal cases but he is on bail in the said cases and he is languishing in custody since 17.03.2020. It is next submitted that the actual fact is that the father of the informant was manufacturing bomb and the same exploded in his hand resulting in the death of the deceased.



Per contra, Shri Ashok Kumar, learned APP appearing for the State has vehemently opposed the prayer for bail and has submitted by referring to the case diary that the father of the informant was manufacturing bomb and thereafter he had died on account of explosion of the said bomb.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also those present in the case diary which shows minuscule evidence qua the petitioner herein in the alleged occurrence, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 Additional Chief Judicial Magistrate-II, Jhanjharpur, District-Madhubani in connection with Jhanjharpur P.S. Case No. 199 of 2019.

(Mohit Kumar Shah, J)

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