

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33282 of 2021**

Arising Out of PS. Case No.-116 Year-2019 Thana- JURAWANPUR District- Vaishali

SAKAL DEO PASWAN Son of Kaushlaya Paswan Resident of Village-
Birpur Panchapauniya Tola, P.S.- Jurawanpur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-12-2021 Heard Mr. Shivendra Kumar Sinha, learned counsel

for the petitioner and Mr. Akshay Lal Pandit, Additional Public

Prosecutor for the State *via* video conferencing.

Petitioner seeks regular bail in connection with
Jurawanpur PS Case No. 116/2019 registered for the offences
punishable under Sections 147, 148, 149, 341, 302 of the IPC.

The allegation, as per First Information Report, is that
the petitioner along with other accused persons, total six in
numbers, assaulted the brother of the informant by means of
Lathi, Danda and fists etc, due to which, he died.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and he has not
committed any offence in the manner alleged. Learned counsel



next submits that the allegation, as alleged, in the FIR is that the petitioner and other accused persons assaulted the deceased brutally but from perusal of the postmortem report (Annexure-2), it would be evident that the doctor has not found any external injury on the person of the deceased.

Learned counsel next submits that the doctor, in the postmortem report, has opined that since the cause of death is not clear, viscera is preserved for forensic examination.

Learned counsel further submits that the petitioner is in custody since 28.11.2020 and the charge-sheet, in the matter, has already been submitted.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the allegation against the petitioner is general and omnibus in nature, the deceased has got no external injury on his person as per doctor's opinion, petitioner is in custody since 28.11.2020 and the charge-sheet, in the matter, has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, SAKAL DEO PASWAN 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 9th, Vaishali at Hajipur in connection with
Jurawanpur PS Case No. 116/2019.

(Anil Kumar Sinha, J)

perwez

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

