

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34790 of 2021

Arising Out of PS. Case No.-92 Year-2020 Thana- CHUTIA SAHAYAK District- Rohtas

Hari Nath Paswan @ Hari Nath Kumar @ Buchun S/o Naresh Ram R/o
village- Barwadih, P.S.- Kandi, District- Garhwa (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mrs.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 21-10-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Chutiya P.S. Case No. 92
of 2020, registered for the offence under Section 302 / 34 of the
Indian Penal Code.

As per the prosecution case, the informant suspected
that co-accused Arun Mahto alongwith his associates have
committed murder of her husband due to land dispute.

Petitioner is not named in the FIR. Name of the
petitioner has surfaced during course of investigation in the
confessional statement of co-accused Anil Paswan. It is further
submitted that though, so called mobile phone, which was used
in the alleged crime, belongs to this petitioner, but actually
petitioner gave it to his maternal uncle Anil Paswan, who
utilised his mobile. No incriminating article has been recovered
from the possession of the petitioner and only on suspicion, he
has been made accused. Petitioner is in custody since



19.12.2020. Investigation is complete.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 J.M. 1st Class, Dehri-on-Sone, District - Rohtas in connection with Chutiya P.S. Case No. 92 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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