

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32417 of 2020

Arising Out of PS. Case No.-285 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

AWADHESH PASWAN, Son of Jagnarayan Paswan Resident of Village-
Durgapur, P.S.- Sasaram Muffasil, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 07-04-2021 Heard Mr. Vikram Deo Singh, learned counsel

for the petitioner and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Sasaram Muffail P. S. Case No. 285 of 2019, dated 03.09.2019, instituted for the offences under Sections 302 and 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that from the impugned order itself it would appear that the accusation against the petitioner is absolutely vague and based on suspicion. From the perusal of the case records, it appears that during the



course of investigation, it came to light that one Mira Devi and her husband had taken money from the deceased and were not returning it to him. Later, aforesaid Mira Devi developed illicit relationship with the petitioner who was also residing in the same house at Faridabad.

On the basis of these inputs, an inference has been drawn that the petitioner also has participated in the killing of the deceased.

Apart from suspicion and vague statement made by the witnesses during the course of investigation, no concrete material could be collected against the petitioner up till now.

Considering this aspect of the matter, this Court had called for the case-diary and had also granted interim reprieve to the petitioner *vide* order dated 09.02.2021.

In the case-diary which has been received, there is no evidence against the petitioner of



participating in the crime.

Considering the vague nature of accusation against the petitioner, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sasaram, district – Rohtas, in connection with Sasaram Muffail P. S. Case No. 285 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

skm/-

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

