

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37485 of 2020**

Arising Out of PS. Case No.-54 Year-2020 Thana- CHERIYA BARIYARPUR District-
Begusarai

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SANJAY PASWAN SON OF GULO PASWAN RESIDENT OF VILLAGE -
KAROR, P.S. - CHERIYA BARIYARPUR, DISTRICT - BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar

For the Opposite Party/s : Mr. APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 02-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 22.04.2020 in connection with Cheriya Bariyarpur P.S. Case No. 54/2020 registered for the offences punishable under Sections 302/201/34 of the Indian Penal Code.

As per the prosecution case, on 17.04.2020, husband of the informant, namely, Binod Paswan (deceased) went for harvesting the crop, but he did not return in the evening. Next day, she was informed that dead-body of her husband was lying near Dahiya bridge. It is further alleged the husband of the informant had some money dispute with co-accused Hakru Paswan, Smart Paswan and Manghal Sahni and she suspects that all the accused persons committed murder of her husband.



It is submitted on behalf of the petitioner that petitioner is not named in the FIR. Petitioner has been made accused in this case on the basis of confessional statement of co-accused Hakru Paswan which has no evidentiary value. It is further submitted that, from perusal of the FIR itself, it is apparent that petitioner did not have any money dispute or was suspected by the informant. Save and except confessional statement of the co-accused, there is no other material to rope in this petitioner in connection with the present case. Petitioner has got clean antecedent and he is in custody since 22.04.2020.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned ACJM, Manjhaul, Begusarai, in connection with Cheriya Bariyarpur P.S. Case No. 54/2020, subject to following conditions:-

- (1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be



cancelled by the Court below.

(2) If the petitioner tempers 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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