

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37475 of 2020**

Arising Out of PS. Case No.-79 Year-2020 Thana- BIHARIGANJ District- Madhepura

Indradeo Paswan aged about 35 years Son Of Sri Devan Paswan R/O Village-
Jotaili, P.S.- Bihariganj, Distt- Madhepura ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Alok Kumar Singh, Advocate

For the Opposite Party : Mr.A.G

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

3 16-03-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in a case registered for the offence punishable under sections 323/302 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, petitioner and other accused persons named in the FIR including 4/5 unknown persons came on the disputed field and started assaulting the informant and his family. In the meantime, co-accused Dhunmun Paswan, Raj Kumar Paswan and Bipin Paswan brutally assaulted the father of the informant causing his death on the spot.

Learned counsel for the petitioner submits that there is general and omnibus allegation against the petitioner and at best he can be said to be a member of the mob. There is land dispute between the parties. Petitioner has got clean antecedent as stated



in paragraph 3 of the bail petition. Petitioner is in custody since 13.8.2020. Charge sheet has already been submitted.

Considering the facts and circumstances of the case and the fact that there is general and omnibus allegation and no overt act has been alleged against the petitioner and has got clean antecedent, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Udakishunganj, Madhepura in Bihariganj Police Station Case No. 79 of 2020 on the 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 and on his/her absence on two consecutive dates without sufficient reason, his/her 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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