

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9313 of 2021**

Arising Out of PS. Case No.-50 Year-2016 Thana- SIGAUDI District- Patna

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BINDESHWAR PASWAN @ BINESHWAR PASWAN, SON OF LATE
SAGAR PASWAN, resident of village - Pajringa, P.S- Sigori, Distt- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar, Adv.

For the Opposite Party/s : Mr.Ram Sevak Chaudhary, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 15-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within four
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302/34 of the Indian Penal
Code.

Prosecution case, in brief, is that the informant alleged
that he got information on 19.05.2016 that his father was died
due to dashing and crushing by a Truck and when he reached at
the place of occurrence, then the driver of the JCB informed him



that the driver of the Truck namely Budhan Paswan in connivance with other co-accused run down the Truck over the father of the informant. The petitioner is father of the driver of the Truck and it is alleged against him that he also instigated and assisted in the alleged offence.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is neither the driver nor the owner of the truck in question through which dashed the deceased, there is no specific allegation against the petitioner. The petitioner is languishing in judicial custody since 14.03.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition. Similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court vide order dated 21.09.2020 passed in Cr. Misc. No.23859/2020.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in



connection with Sigori P.S. Case No. 50/2016 to the satisfaction
of learned Court below where the case is pending/ successor
court.

(Anjani Kumar Sharan, J)

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