

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8944 of 2021

Arising Out of PS. Case No.-252 Year-2019 Thana- RAHUI District- Nalanda

SURAT PASWAN SON OF SHIV PASWAN R/O VILLAGE- PESHIAUR,
P.S.- RAHUI, DIST.- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Satyendra Kumar Srivastava
For the Opposite Party/s : Mr.A.PP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Rahui P.S. Case no. 259 of 2019 instituted for the offence under Sections 324 and 302/34 of the Indian Penal Code.

As per allegation in the FIR, on 6.7.2019 son of the informant, namely, Dharmaraj Paswan had gone to the residence of petitioner as on next day marriage of his daughter was to be solemnized and when all were busy in preparation of said marriage he came to know that his son was suffered injury from



Air-gun. It has further been stated that Dharmraj Paswan, Surat Paswan, Yugal Paswan and Mukesh Paswan were also present and after hearing the news when he went to the house of petitioner he found two persons carrying his son in an injured condition and was being carried to the clinic of private Doctor where he was declared brought dead. Informant suspects that there is hand of the petitioner and co-accused in the alleged murder .

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. There is no motive assigned for killing the son of informant and there is no specific allegation against the petitioner of causing any air-gun injury on deceased. Injury appears to be accidental. It is further submitted that petitioner was busy in preparation of marriage of his daughter and, as such, it cannot be expected that he would indulge in any such type of heinous activity. He has got no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner



is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Rahui P.S. Case no. 259 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-1st, Nalanda at Biharsharif subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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