

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4777 of 2022**

Arising Out of PS. Case No.-55 Year-2019 Thana- ISLAMPUR District- Nalanda

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Ramesh Paswan @ Karu Paswan Son of Late Ram Swroop Paswan Resident  
of Village- Korama, P.S.- Islampur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate  
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      19-09-2022                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Islampur  
P.S. Case No. 55 of 2019 registered for the offence under  
Sections 302 and 34 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and  
is in custody since 20.02.2019.

The allegation against the petitioner is to commit  
murder of son of the informant, along with other co-accused  
persons due to previous enmities.

Learned counsel appearing on behalf of the petitioner  
submitted that the name of the petitioner surfaced on the basis



of confessional statement of co-accused, namely, Sanjay Choudhary, who has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 48668 of 2019 vide order dated 09.08.2019. It is further submitted that in furtherance of confessional statement, no recovery was made having such incrimination which may connect this petitioner with present allegation/occurrence. It is also submitted that informant is not the eye witness of the occurrence, where entire allegation is based upon mere suspicion. It is submitted that recovered blood stained dhoti is also not appears incriminating this petitioner in want of FSL report. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that the petitioner is not named in F.I.R.

Considering the facts and circumstances as mentioned above, as nothing incriminating surfaced during the course of investigation, in furtherance of confessional statement, in the background, where entire allegation is based upon suspicion



coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Islampur P.S. Case No. 55 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Hilsa (Nalanda)/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

pooja/-

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