

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15228 of 2022

Arising Out of PS. Case No.-53 Year-2021 Thana- MAHISHI District- Saharsa

RAJA PASWAN Son of Bipat Paswan Resident of Village - Majrahi, P.s.-
Mahishi (O.P. Jalai), Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Chandra Mohan Jha
For the Opposite Party/s	:	Mr.Nawal Kishore Prasad
For the State	:	Mrs. Sharda Kumari A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 11-08-2022 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302, 326,
120B read with 34 of the Indian Penal Code.

As per the prosecution case, the informant's daughter
Pooja Kumari was married to the petitioner Raja Paswan,
further her daughter was being tortured by Raja Paswan and her
in-laws for dowry and on 19.03.2021 there was a *panchayati*
for reconciliation between the parties for which the informant's



son and his elder son-in-law proceeded at around 8:00 P.M. to village Majrahi on call made by Raja Paswan. It is next alleged that when they were about to reach the place where they were called, Raja Paswan called the son of the informant and asked them to avoid the meeting. Thereafter, when the son of the informant along with his elder brother-in-law were returning back, they were taken by the petitioner and his henchmen and the son of the informant was stabbed , leading to his death and the informant's son-in-law who was accompanying the son of the informant, was also assaulted.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case on mere suspicion. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated at para 3 of the bail petition. There is no eye witness in this case. Co-accused Santosh Paswan in his confessional statement has admitted his guilt and has stated as to how the occurrence took place. There was illicit relationship between Santosh Paswan and Pooja Kumari, who is the wife of the petitioner. The petitioner is in custody since 19.06.2021. The other co-accused person has already been granted bail vide order dated 04.01.2022 passed in Criminal Misc. No. 44840 of



2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to 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 A.C.J.M. II, Saharsa, in connection with Mahishi P.S. Case No. 53 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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