

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27980 of 2021

Arising Out of PS. Case No.-257 Year-2020 Thana- PIPRAHI District- Sheohar

SUDHIR PASWAN S/o Ganesh Paswan Resident of Mohan Pur, P.S.- Piprahi,
District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 09-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Piprahi P.S. Case No. 257 of 2020 registered for the offences punishable under Sections 302, 307, 323, 324, 504, 506, 34 of the IPC.

As per prosecution case, the informant's wife was abused by the accused persons on account of throw of cow dung. Further, it is alleged that co-accused Ranjeet Paswan started assaulting the informant's wife with iron rod causing injury on her head. After sustaining the said injury, she became unconscious and fell down. After that petitioner and Randhir Paswan started assaulting her with lathi. Due to the said



occurrence, the informant's wife died.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the FIR that allegation of assault with iron rod on the head of the deceased is against co-accused Ranjeet Paswan. He further submits that allegation against the petitioner is general and omnibus. He further submits that postmortem report does not corroborate the allegation as alleged in the FIR. He further submits that the police after investigation submitted charge sheet against the petitioner and other accused persons and the petitioner is in custody since 08.11.2020.

The learned Additional Public Prosecutor on the basis of material on record and case diary fairly submits that there is no specific allegation against the petitioner.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st, Sheohar in connection with Piprahi P.S. Case No. 257 of 2020, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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