

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21088 of 2022

Arising Out of PS. Case No.-227 Year-2021 Thana- OBRA District- Aurangabad

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DURYODHAN PASWAN Son of Shambhu Paswan Resident of Village -
Deokali, P.S.- Obra, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Bhaskar Shankar
For the Opposite Party/s :	Mr.Rina Sinha
	Mrs. Sharda Kumari

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

ORAL ORDER

2 02-08-2022 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
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302 and 201
read with 34 of the Indian Penal Code.

As per the prosecution case, it is alleged that the
informant has confidence that co-accused persons Chotan
Dubey and Shivpujan Mehta assaulted the husband of the
informant. They had also threatened the informant and later on
committed murder of Kishna Kumar and threw his dead body



into the Punpun river. Co-accused Shivpujan Mehta was also seen taking the husband of the informant somewhere.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case on account of village politics. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that there is no eye witness to the alleged occurrence. The name of the petitioner has sprung up in the confessional statement of co-accused Shivpujan Mehta. The petitioner is the khalasi of the truck of the co-accused Shivpujan Mehta. The petitioner has clean antecedent as stated at para 3 of the bail petition. The petitioner is in custody since 07.03.2022.

Learned A.P.P. for the State has opposed the bail petition of the petitioner. It is further submitted that co-accused Shivpujan Mehta in his confessional statement has stated the modus operandi as to how the occurrence took place with association of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M, Daudnagar, District-



Aurangabad, in connection with Obra P.S. Case No. 227 of 2021
with a condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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