

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23432 of 2022

Arising Out of PS. Case No.-94 Year-2021 Thana- BISHANPUR CHOWK District-
Darbhanga

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1. PAWAN PASWAN Son of Kailash Paswan, Resident of Village - Shivdaspur, P.S.- Bishanpur, Distt.- Darbhanga.
 2. Madan Paswan Son of Kailash Paswan, Resident of Village - Shivdaspur, P.S.- Bishanpur, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tuntun Kumar, Advocate

For the Opposite Party/s : Ms. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 03-11-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioners seek regular bail in connection with
Bishanpur P.S. Case No. 94 of 2021 lodged under Sections 302,
201 and 120B/34 of the I.P.C.

As per prosecution case, the informant has disclosed
that he had 4 children from wedlock of her first husband but
after death of her first husband, the informant remarried with the
accused Lalan Paswan who was working as driver at Delhi. In
the F.I.R. she has made allegation against the 2nd husband Lalan

Paswan that he in connivance with other accused persons had killed her son. It has also been stated in the F.I.R. that initially U.D. case was lodged but subsequently the present F.I.R. has been lodged, investigation took place and charge sheet has been filed.

Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. He further submits that in the entire case diary the material has come only against Lalan Paswan and not against the present petitioners. He further submits that the name of these two petitioners have figured on the basis of the strong suspicion due to the reason that they are the own younger brothers of the 2nd husband of the informant. Learned counsel further submits that petitioners are in custody since 12.10.2021 and both the petitioners are man of clean antecedent.

Learned counsel for the State opposes the prayer for bail and submits that after going through the case diary it appears that materials are available against the named accused Lalan Paswan but the involvement of the present petitioners may not be ruled out because there is a strong suspicion against them.

In the present facts and circumstances of this case and

the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Darbhanga in connection with Bishanpur P.S. Case No. 94 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C..

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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