

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39404 of 2021**

Arising Out of PS. Case No.-497 Year-2020 Thana- RAJAON District- Banka

RAJESH PASWAN Son of Devendra Paswan Resident of Village- Chamraili,
P.S.- Banka, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Mohammed Arif

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 11-04-2022 Heard the parties.

Petitioner seeks regular bail in connection with
Rajoun PS Case No. 497 of 2020 registered under Sections 302 /
34 of the I.P.C.

As per the First Information Report one Tubho Devi
informed the informant that her husband is lying dead in the
khalihan.

Learned counsel for the petitioner submits that
petitioner is the son- in- law of the deceased and has falsely
been implicated in this case on the basis of subsequent
statement of Tubho Devi who had informed regarding the death
of informant's husband and on that basis F.I.R. was lodged. He
further submits that petitioner is not named in the F.I.R. and he
has been implicated in this case upon the statement of Tubho



Devi that he was seen at the place of occurrence. He next submits that fact regarding presence of the petitioner at the place of occurrence is also disclosed in the First Information Report but at the time of lodging the F.I.R. the name of the petitioner was not disclosed as assailant by the informant. The petitioner is in custody since 16.12.2020 and charge sheet has already been submitted.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is the son- in -law of the deceased and as per First Information Report he was present at the place of occurrence and was not named in the F.I.R. as assailant at the first instance, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Rajoun PS Case No. 497 of 2020.

praful/-

(Anil Kumar Sinha, J)

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