

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39414 of 2021

Arising Out of PS. Case No.-399 Year-2020 Thana- VAISHALI District- Vaishali

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RAMESH PASWAN S/O LATE DEVAN PASWAN @ DEVAN RAM
PASWAN R/O VILLAGE-NAWADA, P.S-VAISHALI, DISTRICT-
VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Thakur, Adv.

Ms. Vaishnavi Singh

For the Opposite Party/s : Mr. Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 13-04-2022 Heard the parties.

Petitioner seeks regular bail in connection with
Vaishali PS Case No. 399 of 2020 registered under Sections
364 , 302 of the I.P.C.

As per the prosecution case on 09.03.2017 the
husband of the informant went with the petitioner to Punjab in
order to earn his livelihood and when the informant enquired
about the whereabouts of her husband no satisfactory reply was
given by the petitioner. A suspicion has been raised that
petitioner killed her husband and disposed his dead body.

Learned counsel for the petitioner submits that after



two years a complaint has been filed by the informant, which has been converted into F.I.R. and except suspicion raised in the complaint -cum -FIR there is no material to connect the petitioner with the present offence. He further submits that petitioner is also a labour and he earns his livelihood and petitioner was not aware as to where the informant's husband was working in Punjab.

On the other hand, learned counsel for the informant submits that onus is upon the petitioner to disclose the whereabouts of the informant's husband inasmuch it was the petitioner who had taken away the informant's husband along with him to Punjab and up till now dead body of the informant's husband has not been recovered.

Regard being had to the submissions made by the parties, taking into consideration the nature of allegation and the fact that except suspicion no cogent evidence has come against the petitioner, petitioner is in custody since 23.03.2021 and charge sheet has already been submitted, 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, Vaishali at
Hajipur in connection with Vaishali P.S. Case No. 399 of
2020.

(Anil Kumar Sinha, J)

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