

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42830 of 2021

Arising Out of PS. Case No.-374 Year-2020 Thana- UJIYARPUR District- Samastipur

RAJ KUMAR PASWAN Son of Nanhaki Paswan Resident of Village - Chand
Chaur, P.S. - Ujiyarpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Sinha, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 31-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Ujiyarpur P.S. Case No. 374 of 2020 for the offence punishable
under Sections 120B and 302 of the Indian Penal Code.

The prosecution story, in brief, is that the mother of
the informant had gone along with Yamki Devi @ Sheela Devi
on 11.12.2020. Next day in the morning, he came to to learn that
his mother has been murdered. In course of investigation, the
name of the petitioner has surfaced on the basis of confessional
statement of co-accused Sheela Devi that the petitioner along



with other co-accused were involved in the murder of the deceased.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that there is no eye witness of the occurrence. Informant is the son of the deceased. On mere assumption on the basis of confessional statement of co-accused Sheela Devi, petitioner has been implicated in this case. That apart, no material has come in course of investigation. Petitioner has clean antecedent and is in custody since 19.02.2021.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, petitioner is not named in the F.I.R., there is no eye witness to the alleged murder of the deceased, name of the petitioner surfaced in the confessional statement of the co-accused Sheela Devi while in police custody with whom the deceased had left her home, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM,



Dalsingsarai, Samastipur in connection with Ujiyarpur P.S. Case
No. 374 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient
immovable property within the jurisdiction of the Court
concerned.

(2) Petitioner shall co-operate in the trial and shall be
properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the
witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature
of offence, after his release on bail, the trial Court shall take
steps to cancel his bail bonds.

(Purnendu Singh, J)

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