

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43542 of 2021

Arising Out of PS. Case No.-203 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

Arbind Paswan @ Arvind Paswan Son of Basawan Paswan Resident of
Village - Mohania Ward No. 12, P.S. - Mohaniya, District - Kaimur at
Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Mohaniya
P.S. Case No. 203 of 2020 registered for the offence under
Sections 302 and 34 of the Indian Penal Code and Section 27 of
the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 22.01.2021.

The allegation against the petitioner is to be involved
in the murder of the deceased alongwith other co-accused
persons.



Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced in the present case during the course of investigation merely on the ground of suspicion. It has further been submitted that nothing incriminating recovered/surfaced during the course of investigation, which may connect the petitioner with the present occurrence. It has also been submitted that petitioner is a man of clean antecedent and chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that the name of the petitioner surfaced on the basis of suspicion during the course of investigation.

Considering the facts and circumstances as mentioned above, as the name of the petitioner surfaced on the basis of mere suspicion, let the petitioner, above named, is directed to be released on bail in connection with Mohaniya P.S. Case No. 203 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua, subject to the following conditions:



“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Govind Paswan, who is the brother of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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