

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45414 of 2022

Arising Out of PS. Case No.-2 Year-2022 Thana- MEDNI CHAUKI District- Lakhisarai

Harinandan Paswan Son Of Kantu Paswan R/O Village- Rishi Paharpur, P.S.-
Medni Chowki, Dist.- Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the

learned APP for the State.

Petitioner seeks regular bail in connection with Medni

Chowki P.S. Case No. 2 of 2022 registered for the offences

punishable under Sections 363 and subsequently added 302, 201

and 34 of the Indian Penal Code.

As per the prosecution, the informant alleged that this

petitioner along with other co-accused persons kidnapped the

informant's son, who was having an illicit relationship with one

co-accused Pinky Devi, who is the wife of co-accused Puna

Paswan and later it transpired from the confessional statement



of the main accused Puna Paswan that he killed the informant's son and this petitioner helped him in disposing of the dead body.

The main submissions advanced by the learned counsel Mr. Binay Kumar appearing for the petitioner are that as per FIR there was an illicit relationship between the informant's son (deceased) and wife of Puna Paswan who is a brother of this petitioner and during the course of investigation the co-accused Puna Paswan confessed his guilt before the police and revealed that he attacked at the deceased when he saw his wife and deceased in compromising position and the prosecution is mainly relying upon the confessional statement of co-accused in which any role of the petitioner in participating or killing the deceased has not been revealed. Further submission is that in the FIR there is no specific allegation against the petitioner and the informant simply raised his suspicion against the petitioner.

Learned APP Mr. Sanjay Kumar Tiwary appearing for the State has opposed the bail prayer.

Having considered the above submissions and petitioner's clean antecedent mentioned in his petition and also his custody period and the fact that in the FIR there is no specific allegation against the petitioner and the informant simply raised suspicion against named accused persons and the



petitioner is stated to be the brother of the co-accused whose wife allegedly had illicit relationship with son of informant, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Medni Chowki P.S. Case No. 2 of 2022.

(Shailendra Singh, J.)

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