

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56744 of 2021

Arising Out of PS. Case No.-359 Year-2020 Thana- NAUGACHIA District- Bhagalpur

Sintu Paswan S/O Late Devendra Paswan R/O Village-Bisai Tola, P.S-
Naugachiya, District-Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 09-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Naugachia P.S. Case No. 359 of 2020 lodged under Sections
302 & 201 of the I.P.C.

As per the prosecution case, the informant who was
posted on the post of *Chaukidar* and was on duty, got
information about one unknown dead body which was laying at
Block office campus near Manrega Bhawan. On the basis of
which F.I.R. has been lodged against unknown accused persons.

Learned counsel for the petitioner submits that the
name of the petitioner has figured on the basis of confessional
statement of the co-accused. He submits that the deceased and

the petitioner are agnates and petitioner is *devar* of deceased. Counsel for the petitioner further submits that there was a cordial relation between the petitioner and the deceased and there is a strong suspicion found in the investigation against the petitioner because there was a continuous telephonic talk used to go between them. Counsel for the petitioner submits that save and except the strong suspicion, there is no cogent material found against him during investigation. Counsel further submits that he is in custody in the said case since 06.12.2020, charge sheet has already been filed as well as charge has already been framed and many prosecution witnesses have already been examined. There is no chance of tempering of any evidence. Counsel further submits that the antecedent of the petitioner is clean.

Learned counsel for the State opposes the prayer for bail and submits that daughter of the deceased have narrated that the petitioner continuously used to come to meet his mother and a quarrel took place between them.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. Ist Naugachia, District-

Bhagalpur in connection with Naugachia P.S. Case No. 359 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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