

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 62253 of 2021

Arising Out of PS. Case No.-72 Year-2018 Thana- DANIYAWAN District- Patna

RAJENDRA PASWAN Son of Late Balgoving Paswan Resident of Village -
Marawa @ Madwa, P.S.- Daniyawar, District - Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the
Advocates joined the proceedings through Video Conferencing from their residence.)

3 12-01-2022 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offences punishable under Sections 302 and
120(B) of the Indian Penal Code and Section 27 of the Arms
Act.

informant has alleged in his FIR that on 02.06.2018
at about 6:00 P.M., his brother Parmanand Paswan was
returning to home along with his Fua Sona Devi, when some
criminals variously armed intercepted them in their way and it is
further alleged that on the instigation of Dhananjay Paswan,
petitioner (Rajendra Paswan) fired upon his brother, as a result
of which he died on the spot.

It has been submitted on behalf of petitioner that he

is innocent and has been falsely implicate in this case on account of dispute with the informant and his family member. The allegation as made out in the FIR is concocted and appears improbable. Deceased was killed by unknown persons and on account of enmity petitioner and his family have been falsely implicated.

The charges has been framed on 22.09.2021. petitioner is in custody since 08.06.2018 having no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II, Patna City, Patna, in connection with Sessions Trial No. 704 of 2019 arising out of Daniyawar P.S. Case No. 72 of 2018, subject to conditions that:-

- (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 and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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.

(S. Kumar, J)

Rajiv/veena-

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