

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4032 of 2023

Arising Out of PS. Case No.-512 Year-2022 Thana- MADANPUR District- Aurangabad

ARUN PASWAN S/o Late Naresh Paswan R/o village- Umga Tole,
Bachhibir, P.S.- Madanpur, Distt- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari
For the Opposite Party/s : Mr. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 21-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 302 of the Indian Penal Code.

The prosecution story, in nutshell, is that on the alleged date of occurrence, when the informant went to wake his mother but found her lying dead on bed. The informant raised suspicion that the petitioner killed his mother by pressing her neck.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case only on the basis of suspicion. The informant himself is not an eyewitness to the alleged occurrence even when he alleges the death of deceased



is caused by strangulation. Therefore, the statement of informant himself is suspicious and doubtful. It is further submitted that the doctor has not ascertained the cause of death in postmortem report. From perusal of F.S.L. report, it appears that no metallic, Alkaloidal, Glycosidal, Pesticidal and Volatile poison could be detected. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 14.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Madanpur P.S. Case No. 512 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad (Bihar).

(Sunil Kumar Panwar, J)

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