

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6851 of 2023

Arising Out of PS. Case No.-132 Year-2022 Thana- MOKAMAH District- Patna

=====

FAGUNI PASWAN S/O LATE BANGALI PASWAN Resident of Village-
Sahbegpur, P.S.- Mokama, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-05-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
18.05.2022 in connection with Mokama P.S. Case No. 132 of
2022/G.R.No.858 of 2022, F.I.R. dated 11.05.2022 registered
for the offence punishable under Sections 302/34 of IPC.

The prosecution case, in short, is that on 10.05.2022
at about 9.30 P.M. 14.09.2022 the informant alleged that her
father-in-law Faguni Paswan (this petitioner), uncle-in-law
Ashok Paswan, Jai Kumar Paswan and Yadu Paswan, aunt-in-
law Lalmuni Devi and Kamli Devi entered into her house with
Lathi and Danda and started assaulting her sister badly on the
question of dispute between children. Further alleged that when
the informant tried to intervene, she was given threatening of



life and both of her child when made a protest they were also asked to keep quite, hence, they all remained silent spectator and when her sister became unconscious, Ashok Paswan asked all of them to leave as she was dead now and when they found her dead, all of them fled away from the house.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that the allegation as alleged in the FIR is false and fabricated and it appears from the FIR that there is general and omnibus allegation against all the accused persons including the petitioner. There is no specific allegation of any assault or overt-act attributed against the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 18.05.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid fact, let the petitioner, above named, 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 learned Additional Chief Judicial Magistrate-III, Barh, Patna/Incharge Successor Court in



connection with Mokama P.S. Case No. 132 of 2022/G.R.No.858 of 2022,with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

