

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9508 of 2023

Arising Out of PS. Case No.-142 Year-2022 Thana- RUDRAPUR District- Madhubani

Mishri Paswan @ Mishri Lal Paswan S/o Achchelal Paswan, R/o Village-Taradiha, Ward no. 5, P.S.- Madhepur, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 03-05-2023 Let the defect, 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 Rudrapur P.S. Case No. 142 of 2022 (G.R. No. 1459 of 2022) dated 26.08.2022 lodged under Sections 341, 325, 504, 307 and 506/34 of the I.P.C. and later on section 302 of I.P.C. added.

As per the prosecution, the allegation has been made against 15 named accused persons including the present petitioner.

Learned counsel for the petitioner submits that the specific allegation of assaulting is against some named accused persons other than the petitioner as per the statement of

fardebayan. Counsel further submits that as per the F.I.R., place of occurrence is village- Batsara situated in P.S. Rudrapur district-Madhubani, it also clear that the informant also belongs to the same village. Most of the accused persons are also of same village. Counsel further submits that the name of the present petitioner has inserted in this case only and only due to the reason that the present petitioner is the cousin *Bahnoi* of the accused no.1 Pawan Paswan. Counsel also stated in his petition that there is a series land dispute between Pawan Paswan and Pulkit Paswan. Counsel further submits that petitioner is in custody since 26.08.2022 and his antecedent is clean.

Learned counsel for the State opposes the prayer for bail but simultaneously admits that in the F.I.R. there is nothing specific against the present petitioner.

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 Judicial Magistrate-Ist Class, Jhanjharpur (Madhubani) in connection with Rudrapur P.S. Case No. 142 of 2022 (G.R. No. 1459 of 2022), subject to the conditions as laid down under Section 437(3) of Cr.P.C..

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

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