

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13364 of 2023

Arising Out of PS. Case No.-948 Year-2022 Thana- SHERGHATI District- Gaya

UDAY PASWAN S/O KAILASH PASWAN Resident of Village- Chitab Kala,
P.S.- Sherghati, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case instituted for the offence under Sections 323, 341, 324, 307/34 of the Indian Penal Code and later on added Section 302 of the IPC.

The allegation against the petitioner along with other is of assaulting by means of sharp object to the informant's father, due to which he sustained injury. Thereafter, it is alleged that during treatment the informant's father died.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to old dispute. He has committed no offence. During investigation, several witnesses have stated in vide paras 8, 9 and 10 of the



case diary that the co-accused Sudama Paswan stabbed knife on the stomach of the informant's father, due to which he succumbed to injury. There is no specific overt act against the petitioner. Petitioner is the brother of co-accused Sudama Paswan and due to this reason the informant implicated him in the present case. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 19.10.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sherghati (Gaya) in connection with Sherghati P.S. Case No. 948 of 2022.

(Sunil Kumar Panwar, J)

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