

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11819 of 2023

Arising Out of PS. Case No.-304 Year-2022 Thana- BIRPUR District- Supaul

Mithlesh Paswan @ Mithilesh Kumar Paswan Son Of Surya Narayan Paswan
Resident Of Village- Parwaha, Ward No.-7, P.S.- Balua Bazar, District-
Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-06-2023 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 sections 302, 504,
34 of the Indian Penal Code.

As per FIR, the allegation against the petitioner is
that on instigation of co-accused, namely Surya Narayan
Paswan, the petitioner forcibly threw the husband of the
informant on the road due to which her husband collapsed at
the spot and died.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. There is no independent
eye witness of the alleged occurrence rather some witnesses



are hearsay and close relatives of the deceased. There is no repeated assault made by the petitioner to the deceased and there is no intention to kill the deceased. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 14.09.2022.

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 Birpur (Balua Bazar) P.S. Case No. 304 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 A.C.J.M.-Ist, Birpur.

(Sunil Kumar Panwar, J)

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