

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16279 of 2023**

Arising Out of PS. Case No.-29 Year-2020 Thana- BALUA BAZAR District- Supaul

Uday Chand Paswan @ Udaychandra Paswan S/O Deonandan Paswan
Resident of Village- Madhubani, Ward No.- 10, P.S.- Balua Bazar, District-
Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arun
For the Opposite Party/s	:	Mr.Jitendra Kumar Singh
For the Informant	:	Mr. Nagendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148, 341, 323, 307, 302 of the Indian Penal Code.

As per allegation in the FIR, on 20.05.2020 while the petitioner and co-accused Dev Nandan Paswan were cutting soil from the land of the informant and when the mother of the informant intervened, the petitioner and co-accused assaulted her by means of fists-slaps and lathi-danda as a result of she sustained injury and succumbed to her injuries on 21.05.2020.

It is submitted by learned counsel for the petitioner



that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case due to land dispute. There is no specific allegation levelled against the petitioner rather the allegation is general and omnibus in nature. In fact, the deceased died her natural death. It is also submitted that as per the postmortem report, the cause of death of the deceased has been preserved for the want of viscera and from perusal of the Viscera report, there is no metallic, alkaloidal, glycosidal, pesticidal or volatile poison could be detected in the body the deceased. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated other accused Dev Nandan Paswan has already been enlarged on bail by another coordinate Bench of this Court vide order dated 16.03.2021 passed in Cr. Misc. No. 34700 of 2020. The petitioner is languishing in judicial custody since 04.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Balua Bazar (Lalit Gram
O.P.) P.S. Case No. 29 of 2020 on furnishing bail bond of Rs.
10,000/- (Rupees ten thousand) with two sureties of the like
amount each to the satisfaction of the learned A.C.J.M.-I,
Supaul.

(Sunil Kumar Panwar, J)

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