

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18607 of 2023

Arising Out of PS. Case No.-268 Year-2021 Thana- PATEPUR District- Vaishali

SUBODH PASWAN @ SUBOD KUMAR Son of Rambalak Paswan
Resident of Village - Murjapur @ Murtuzapur @ Murtujapur Dumari, P.S.-
Patepur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharama, Sr. Advocate

Mr. Lakshmi Kant Sharma, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The case is registered under sections 147, 149, 341,
342, 323, 302 of the Indian Penal Code, in connection with
Patepur P.S. Case No. 268 of 2021.

As per the prosecution story, it is alleged that the
deceased used to take the labour force to Haryana for getting
them job. There was natural death of one of the villager and for
that a 'Panchayat' was to be held and the deceased had returned
to his native village for attending the said 'Panchayat'.

Upon knowledge of his arrival, it is alleged that the
accused persons caught hold of him tied him to a pole and
assaulted indiscriminately resulting into his death. Later, the
police rushed and took him away but he succumbed to injuries.



Earlier the petitioner had moved before this Court vide Cr. Misc. No.18589 of 2022 which was rejected on 29.08.2022.

Taking into account the period of custody (22.12.2021), as stated in para-9, omnibus allegation is there ultimately he has to face the Trial, this Court is inclined to grant him privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Patepur P.S. Case No. 268 of 2021 to the satisfaction of learned Additional Sessions Judge, VIIth, Vaishali at Hajipur, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark



attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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