

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20760 of 2022

Arising Out of PS. Case No.-391 Year-2010 Thana- MAHUA District- Vaishali

MUNSHI PASWAN Son of Muneshwar Paswan Resident of Village -
Mirzanagar, P.S.- Mahua, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 06-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 14.10.2020 and is a person with clean antecedent.

The informant alleges that her husband had gone to collect toddy on 31.08.2010, but did not return, as such, after search it was the dead body of her husband which was recovered, it is next alleged that on account of previous dispute with the accused persons including the petitioner with regard to toddy, the present occurrence took place.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that informant is not an eye witness to the occurrence and the entire allegation hinges around suspicion, it is also submitted that petitioners were completely unaware that a case has been instituted against them nor during the course of investigation any material has come to connect them with the offence as there is no eye witness to the occurrence, rather the entire allegation hinges around suspicion, it is next submitted that charge-sheet has already been submitted and the petitioner would cooperate in the trial and will not abscond.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted in the case, let the petitioner above named be released on bail 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 court below where the case is pending/successor court in connection with Mahua P.S. Case No. 391 of 2010.

Further, if the learned court below comes to a



conclusion that the petitioner after his release is trying to delay the trial in any manner, the court below shall forthwith cancel his bail bonds after recording reasons and will take all coercive steps to ensure that petitioner is behind bars.

(Satyavrat Verma, J)

GauravSinha/-

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