

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24674 of 2023

Arising Out of PS. Case No.-174 Year-2021 Thana- PARASBIGHA District- Jehanabad

Surendra Paswan, Gender- Male, aged about 43 years, Son of Ramjivan Paswan Resident of Village - Chainpura, P.S.- Parasbigha in the district of Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the State : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner is apprehending his arrest in connection with Parasbigha P.S. Case No. 174 of 2021, registered for the offence punishable under Sections 302/34 of the Indian Penal Code (for brevity 'IPC').

Informant's daughter went to relieve herself in the morning, whereafter she has not returned. Her naked dead body has been recovered about 24 hours later. The petitioner along with other nine (9) persons have been named as accused by the informant (father of the victim) on suspicion.

Learned counsel for the petitioner submits that ten (10) persons, including the petitioner, have been named by the



informant, without there being any basis or motive assigned by him. Even suspicion, based on any circumstance, has not been indicated. The fact of being accused per se, has given rise to apprehension of arrest to the petitioner, who happens to be a man of clean antecedents. Co-accused, namely, Girja Prasad, has been allowed anticipatory bail in Cr. Misc. No. 33989 of 2022.

Learned APP for the State has opposed the prayer for anticipatory bail.

Having regard to the submissions advanced by the petitioner's counsel, nature of allegation, his clean antecedents and claim based on parity, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Jehanabad, in connection with Parasbigha P.S. Case No. 174 of 2021, subject to the following conditions:

- (i) That one of the bailors of each of the petitioner will be a close relative of the petitioner



who will give an affidavit giving genealogy as to how he is related with the petitioner concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if they fail to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Madhuresh Prasad, J)

Raj kishore/-

U		T	
---	--	---	--

