

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2119 of 2023

Arising Out of PS. Case No.-300 Year-2021 Thana- SIKARPUR District- West Champaran

Nautiman Paswan @ Nantiman Paswan Son Of Sheobalak Paswan Alias
Sheobalak Hajra R/O Village- Nuniya Tola, P.S.- Shikarpur, District- West
Champaran

... .. Appellant/s

Versus

1. The State Of Bihar
2. Yashoda Devi Wife Of Late Arjun Paswan R/O Village- Naniya Tola, P.S.-
Shikarpur, District- West Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjeev Kumar Shrivastava
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-08-2023 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated

01.09.2022 passed by learned Additional District &

Sessions Judge-I-cum-Special Judge SC/ST Act, Bettiah

in connection with Shikarpur P.S. Case No. 300 of 2021

instituted for the offences punishable under Sections

302, 120(B), 201, 34 of the Indian Penal Code and

Sections 3(2)(va) of the SC/ST Act whereby his prayer

for being released on bail has been rejected.



It is alleged that husband of the informant has been killed by all the F.I.R named accused persons including the appellant by strangulation.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. The informant is not the eye witness to the occurrence. There is general and omnibus allegation against the appellant and only on the basis of suspicion, the appellant has been roped in the present case. The appellant is in custody since 19.06.2021. A statement has been made in para 3 of the petition that appellant has clean antecedent. Moreover, similarly situated co-accused has been granted bail by a coordinate Bench of this Court vide order dated 19.05.2022 passed in Cr. Appeal (SJ) No. 4614 of 2021.

Learned Special P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the appellant.



Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 01.09.2022.

Accordingly, this appeal is allowed.

The appellant, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-I-cum-Special Judge, SC/ST, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 300 of 2021.

(Sunil Kumar Panwar, J)

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