

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36769 of 2023

Arising Out of PS. Case No.-243 Year-2020 Thana- BIKRAM District- Patna

VIKASH PASWAN @ VIKASH KUMAR Son of Surendra Paswan @
Dholak Paswan Resident of village - Arap, P.S. - Bikram, Distt. - Patna
... .. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 28-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has renewed his prayer for bail in connection with S.Tr. no. 304 of 2021/279 of 2021 (arising out of Bikram P.S. Case no. 243 of 2020) registered under sections 307, 341, 323, 504 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is said to have assaulted the father of the informant with a lathi on his head.

4. The earlier prayer for bail of the petitioner was rejected vide order dated 16.12.2021 passed in Cr. Misc. no. 25150 of 2021 and order dated 9.11.2022 passed in Cr. Misc. no. 43479 of 2022.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Even as per



the allegations in the FIR, there is no allegation of assault on the petitioner. Referring to the deposition of P.W 3 Prabhu Paswan learned counsel for the petitioner submits that from reading of the contents thereof and especially paragraph no. 2, it appears that father of the informant died for lack of medical treatment. The petitioner is in custody since 11.11.2020 and undertakes to cooperate in the trial.

6. Heard learned APP for the State.

7. Having heard learned counsel for the parties and taking into consideration the nature of allegation, the petitioner having remained in custody for more than 2 year 6 months since 11.11.2020 together with the contents of the deposition of the prosecution witnesses, the Court directs the petitioner to be enlarged on bail in connection with S.Tr. no. 304 of 2021/279 of 2021 (arising out of Bikram P.S. Case no. 243 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 Addl. District and Sessions Judge III, Danapur, Patna.

(Partha Sarthy, J)

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