

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37239 of 2023

Arising Out of PS. Case No.-59 Year-2023 Thana- MAHUA District- Vaishali

SAKINDRA PASWAN SON OF LATE PALAK PASWAN RESIDENT OF
VILLAGE - JIRWARA, P.S. - MAHUA, DISTRICT - VAISHALI

... .. Petitioner

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Aniket Singh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 06-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Mahua P.S. Case No. 59 of 2023 registered for the offences punishable under Sections 341, 323, 324, 326, 307, 302/34 of the Indian Penal Code. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that the allegation against the petitioner is to commit murder of son of informant along with other co-accused persons by causing bodily injuries, where assault was alleged to be caused by Hasuli, rod, lathi etc.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no specific allegation against



the petitioner.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances to the case and the submissions of learned APP for the State after going through the case diary that there is no significant material against this petitioner, he has not committed any overt act and the specific allegation of assault upon the deceased is against co-accused Shiv Shankar Kumar, further that two co-accused namely Radha Kumari and Tetari Devi have been granted the privilege of anticipatory bail by learned Co-ordinate Bench of this Court in Cr. Misc. No. 54554 of 2023, and that the petitioner has otherwise no criminal antecedent, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Mahua P.S. Case No. 59 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Hajipur, Vaishali, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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