

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38208 of 2023

Arising Out of PS. Case No.-108 Year-2015 Thana- RANIGANJ District- Araria

Dilip Paswan @ Dilip Kumar @ Pappu Paswan Son Of Bechan Paswan R/O
Village - Shyam, P.S.- Gwalpara, District - Madhepura.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Raniganj
P.S. Case No. 108 of 2015 registered for the offence under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 06.04.2023.

The allegation against the petitioner is to commit
murder of son of informant alongwith name co-accused persons
by causing firearm injuries, where occurrence is arises out of
illicit relations of petitioner with wife of deceased.



Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of confessional statement of co-accused, namely, Sanjiv Paswan @ Dara, where during the course of investigation, nothing incriminating material recovered/surfaced so as to connect petitioner *prima facie* with the present occurrence of murder. It is submitted that allegation of commit murder is specifically available against named co-accused, namely, Sanjiv Paswan, who alleged to be found in illicit relation with wife of deceased. While concluding the argument, it is submitted that petitioner found involved in two more criminal cases, where he is on bail and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above as save and except suspicion arises out of confessional statement, nothing incriminating material appears against this petitioner to connect him *prima facie* with present occurrence of murder, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 06.04.2023, accordingly, petitioner above named, is directed to be released



on bail in connection with Raniganj P.S. Case No. 108 of 2015
on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)
with two sureties of the like amount each to the satisfaction of
learned C.J.M.-I/C, Araria/concerned Court, subject to the
conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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