

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41580 of 2023

Arising Out of PS. Case No.-84 Year-2023 Thana- MAGADH UNIVERSITY District- Gaya

KUNDAN PASWAN @ KUNDAN KUMAR Son of Shaudagar Paswan
Resident of Mohalla - Patipul, P.S. - Digha, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Dular Sah

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-09-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 302, 201/34 of the Indian Penal
Code.

As per allegation in the FIR, an unclaimed dead body
was found lying near the bridge. It appears from the dead body
that someone had killed him and with intention to wipe off the
evidence and threw his dead body far away from the real place
of occurrence.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. No one is
the eye witness of the alleged occurrence. Only on the basis of
suspicion, the name of the petitioner has been dragged in the



present case. As per postmortem, no external injury was found over the dead body of the deceased. Doctor opined cause of death due to liver disease. During investigation, no consistent material has come against the petitioner to show his involvement in the present case. Petitioner is not named in the FIR. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 22.3.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gaya in connection with Magadh University P.S. Case No. 84 of 2023.

(Sunil Kumar Panwar, J)

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