

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51620 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- HALSI District- Lakhisarai

Satyendra Paswan S/O Suresh Paswan R/O Village- Kathautiya , Ps. Halsi,
Dist. Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
		Mr. Manoj Kumar, Advocate
For the Opposite Party/s	:	Mr. Jai Narain Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 11-10-2023 Heard learned counsel for the petitioner and Mr. Jai Narain Thakur, learned APP for the State.

2. The petitioner seeks bail in connection with Halsi P.S. Case No. 14 of 2023 registered for the offence punishable under Sections 147, 148, 149, 341, 302 and 504 of the Indian Penal Code.

3. As per the prosecution case, altogether eight persons are said to have variously assaulted the deceased with hard and blunt substance.

4. Learned counsel for the petitioner submits that there is specific allegation against the petitioner of having assaulted the deceased with khanti. From the postmortem report, it appears that the deceased has sustained one injury on the head



but except for the head injury, there is no injury on the deceased. The postmortem report falsifies the entire prosecution story. It appears that after the death of the deceased, this case has been filed against all the accused persons. When the prosecution is doubtful, the benefit must go to the accused. Learned counsel further submits that the petitioner is in jail custody since 01.02.2023.

5. Learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

6. Accordingly, this application is allowed.

7. Let the petitioner, above named, 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 the learned Additional District and Sessions Judge-III, Lakhisarai in connection with Halsi P.S. Case No. 14 of 2023, subject to the condition that he will co-operate in the trial.

(Sandeep Kumar, J)

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