

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54191 of 2022

Arising Out of PS. Case No.-100 Year-2020 Thana- HARNAUT District- Nalanda

SHIV KUMAR PASWAN @ SHYAM KUMAR PASWAN S/o Late
Deonandan Paswan Resident of Village- Baghatilha, P.S.- Belchi, District-
Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 302, 201 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 06.06.2021 and is a person with clean antecedent.

The informant alleges that petitioner along with his son, Sunny came to his house on 08.03.2020, and took his son Neeraj along with them, it is next alleged that his son did not return, accordingly, the informant on 09.03.2020,



went to the house of the petitioner to enquire but no one was found present, it is next alleged that even mobile of his son was switched off, thus alleges that his son was killed.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in the FIR it would manifest that the entire allegation hinges around suspicion, it is also submitted that the fact that the informant did not object his son accompany the petitioner and Sunny that in itself demonstrates that the relationship was cordial.

Learned A.P.P. for the State Shri Chandrabhushan Prasad vehemently opposes the prayer for bail of the petitioner and submits that Sunny was arrested and in his confessional statement admitted that the deceased was killed as he was having illicit relation with his daughter, further on his confession the dead body of the deceased was also recovered. Learned A.P.P. thus submits that since the petitioner had also accompanied Sunny and had taken the deceased along with themselves and thereafter the dead body at instance of Sunny was recovered that for the present



is sufficient to connect the petitioner with the offence.

Considering the submission made by the learned
A.P.P., the Court is not inclined to enlarge the petitioner on
regular bail.

However, the petitioner would be at liberty to renew
his prayer for bail after the informant is examined.

(Satyavrat Verma, J)

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