

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60858 of 2023

Arising Out of PS. Case No.-267 Year-2005 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Raju Paswan S/O Upendra Paswan R/O Village- Jalwara, Ps. Singhia, Dist.
Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krishna Mohan Paswan S/O Narayan Paswan R/O Village- Jalwara, Ps.
Singhia, Dist. Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sarbottam Kumar Sarkar

For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a
case registered for the offence punishable under section 147,
148, 324, 326, 504, 34 of the Indian Penal Code.

3. As per FIR, the allegation against the accused
petitioner is that due to previous dispute he assaulted the
complainant's by sword and when he raised his hand in order
to save himself as a result of which complainant's left hand
was cut by sword blow.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has



committed no offence. He has falsely been implicated in this present case. There is inordinate delay of 24 days in lodging the FIR without given any cogent reason. It is submitted that the injury sustained by the injured is not vital part of the body. It is further submitted that the petitioner is languishing in judicial custody since 24.04.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Complaint Case CR Case No. 267 of 2005 Tr. No. 107 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Rosera District Samastipur.

(Sunil Kumar Panwar, J)

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