

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60764 of 2022**

Arising Out of PS. Case No.-43 Year-2022 Thana- TISIAUTA District- Vaishali

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Raja Paswan S/O Mohit Paswan R/V- Nari Khurd, P.S.- Tisiauta, District-  
Vaishali At Hajipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar Pathak

For the Opposite Party/s : Mr.Ajay Kumar Jha

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      03-02-2023                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

The petitioner has filed the instant application  
for grant of regular bail in a case registered for the  
offences punishable under Sections 302/201/34 of the  
Indian Penal Code.

Prosecution case in nutshell is that there was an  
altercation between younger son of the informant ie.  
deceased and Co-accused Mohit Paswan regarding  
ancestral land property. After that, deceased went  
missing and his dead body was recovered.

It is submitted by learned counsel for the



petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Petitioner is neither named in the F.I.R nor any witness have named him in any manner. There is no eye-witness of the alleged occurrence. The name of the petitioner sprang up in this case on the basis of confessional statement of co-accused Mohit Paswan, before the police, which has no evidentiary value in the eye of law. It is also submitted that similarly situated co-accused person has been granted Bail vide order dated 17.01.2023 passed in Cr. Misc. No. 55668 of 2022 by this Court. Moreover, the petitioner is languishing in judicial custody since 17.05.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration 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 in connection with Tisiauta P.S. Case No. 43 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali, Hajipur.

(Sunil Kumar Panwar, J)

nirajkrs/-

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