

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62207 of 2022

Arising Out of PS. Case No.-29 Year-2020 Thana- BALUA BAZAR District- Supaul

JAY NARAYAN PASWAN @ NEERAJ PASWAN Son of Deonandan
Paswan Resident of Village- Madhubani, W.No.-10, P.S.- Balua Bazar,
District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 16-02-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with Balua
Bazar (Lalit Gram O.P) P.S. Case No. 29 of 2020, registered
for the offences punishable under Sections 147, 148, 341,
323, 307 and 302 of the Indian Penal Code.

The prosecution case as emerges from the FIR is
that on 20.05.2020 co-accused Udai Chandra Paswan and
Dev Nandan Paswan brutally assaulted the informant's
mother by *lathi* and *danda*, due to which she died.

Ld. counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case. He further submits that in the present case of the petitioner is on much better footing than that of the co-accused, namely, Dev Nandan Paswan who has already been enlarged on bail by a co-ordinate Bench of this Court vide order dated 16.03.2021 passed in Cr.Misc. No. 37400 of 2020. He also submits that investigation in this case is complete and charge-sheet has already been submitted.

He further submits that the petitioner has been languishing in jail since 11.06.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has moved this Court earlier for grant of anticipatory bail vide Cr. Misc. No. 5358 of 2021.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties



of the like amount each to the satisfaction of Ld. J.M.-Ist Class, Supaul in connection with Balua Bazar (Lalit Gram O.P) P.S. Case No. 29 of 2020, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.



(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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