

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1359 of 2022

Arising Out of PS. Case No.-136 Year-2021 Thana- MANIGACHI District- Darbhanga

1. RAJ KUMAR PASWAN Son of Late Fusi Paswan @ Fusi Pasavan Resident of Village- Sukhwar, P.S.- Manigachi, District- Darbhanga.
2. Amala Devi @ Amal Devi W/o Late Fusi Paswan @ Fusi Pasavan Resident of Village- Sukhwar, P.S.- Manigachi, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 06-01-2023 Heard learned counsel for the parties through video conferencing.

By order dated 25.5.2022, the petitioner no. 2, namely Amala Devi @ Amal Devi, was enlarged on bail, and as such the submissions are confined to petitioner no. 1 only.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 201 and 34 of the Indian Penal Code.

As per the prosecution case, the sister of the informant was married to the petitioner no. 1. It is stated that the accused persons including the petitioner no. 1 used to abuse and assault the informant's sister and also threaten her of a second marriage.



The informant received information about his sister having been done to death.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only for the reason of his being the husband of the deceased. The allegations as levelled in the FIR are false and concocted which would be evident from the contents of the postmortem report wherein no external injury was found on the body of the deceased. Further learned counsel referring to the statement of the 7 year son of the deceased submits that there is no allegation of any assault etc. by the petitioner no. 1. The petitioner is in custody since 15.6.2021 and investigation in the case has concluded.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made, the contents of the postmortem report and the material that has transpired in course of investigation together with the petitioner, namely, Raj Kumar Paswan, having remained in custody for more than 1 year 6 months since 15.6.2021, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 276 of 2021 (arising out of Manigachi P.S. Case no. 136 of 2021) 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 Additional Sessions Judge XIII, Darbhanga.

(Partha Sarthy, J)

Spd/-

U		T	
---	--	---	--

