

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67492 of 2022

Arising Out of PS. Case No.-387 Year-2022 Thana- BHABHUA District- Kaimur (Bhabua)

1. Ranjan Paswan, S/o Kailash Paswan, R/V- Badka Kajhar, P.S.- Sonhan, District- Kaimur.
2. Kailash Paswan, S/o Late Sita Ram Paswan @ Mua Paswan, R/V- Badka Kajhar, P.S.- Sonhan, District- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikram Deo Singh, Advocate
For the Opposite Party/s	:	Mr. Satya Nand Shukla, APP
For the Informant	:	Ms. Kiran Kumari Sharma, Advocate
		Mr. Anupam Bahadur, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-02-2023 Heard learned counsel appearing on behalf of the petitioners, learned counsel appearing on behalf of the State and learned counsel appearing on behalf of informant.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioners seek bail in connection with Bhabhua (Sonhan) Police Station Case No. 387/2022 registered for the offence under Sections 302, 201, 34 of the Indian Penal Code.

The accused/petitioners are named in the F.I.R. and are in custody since 26.06.2022 and 29.06.2022.

The allegation against petitioners is to commit the murder of daughter of informant, aged about 19 years alongwith



other co-accused persons, as informant denied to marry her daughter with co-accused Manoj Paswan.

Learned counsel appearing on behalf of the petitioners submitted that petitioners are not the eye-witness of the occurrence and entire implication is based upon suspicion, which is based upon the threat as advanced by petitioners regarding solemnization of marriage of the daughter of informant. It is submitted that it is highly appearing non-convincing on its face that while a girl of 19 years old taken away from her home in mid night while sleeping with her mother not came into knowledge of others. It is also submitted that the case is appearing close to honor killing as blood stained plastic bags was found in the house of informant, which having no occasion to be there. While concluding the argument, it is submitted that petitioners are a man of clean antecedents and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, duly assisted by learned counsel Mr. Anupam Bahadur appearing on behalf of informant submitted that this is a brutal murder, where petitioner alleged to be involved actively.



Considering the facts and circumstances as mentioned above as save and except suspicion, nothing surfaced during the course of investigation to connect petitioners with present occurrence, where informant is not the eye witness of the occurrence, coupled with fact that charge-sheet has already been submitted, let the petitioners, above named, is directed to be released on bail in connection with Bhabhua (Sonhan) Police Station Case No. 387/2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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