

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75424 of 2022

Arising Out of PS. Case No.-146 Year-2021 Thana- KHANPURA District- Samastipur

1. Pankaj Paswan S/O Ghibu Paswan R/V- Natthudwar, P.S.- Khanpur, District- Samastipur
2. Lali Paswan @ Chandramohan Kumar @ Chandramohan S/O Punyadev Paswan R/V- Natthudwar, P.S.- Khanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-05-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are languishing in custody in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case as per F.I.R is that the petitioners along with other F.I.R named accused persons came at the door of the informant and taken away brother of the informant namely Sintu Paswan @ Pallu Paswan and Raushan Paswan. After some time, the dead body of both the persons were found in the water.



It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. The informant is not the eye witness to the occurrence. There is no consistent material evidence against the petitioner. In fact, both the deceased were friends and they met with an accident on 04.07.2021 in drunken condition at the bridge of Nathudwar. The police was informed and thereafter both the dead bodies were sent for postmortem in presence of the informant and the family members of both the deceased but no fardbeyan or written statement was submitted at that time. The independent witnesses have not supported the case of the prosecution. The petitioners are agnates and in the background of some previous dispute, the petitioners have been roped in the present case. The petitioners are languishing in custody since 16.06.2022.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the



petitioner and submitted that petitioners were last seen with the victims.

In the facts and circumstance of the case, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-XI, Samastipur in connection with Khanpur P.S. Case No. 146 of 2021, G.R. No. 1625 of 2021.

(Sunil Kumar Panwar, J)

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