

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69292 of 2022

Arising Out of PS. Case No.-42 Year-2021 Thana- SHRI NAGAR District- Madhepura

MANTOO PASWAN S/O PABITRA PASWAN Resident of village-
Parmanandpur, Ward No- 1, P.S.- Sri Nagar, District- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Vishoka Nand

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 307, 302, 504, 506/34 of the Indian Penal Code.

Allegation against the petitioner is of assaulting the informant's husband along with co-accused persons as a result of which husband of the informant died during course of treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to dirty village politics. It is further submitted that there is no specific allegation against this petitioner. The postmortem report of the deceased does not



in-consonance with the prosecution story wherein the doctor opined the cause of death of the deceased is CR failure due to haemorrhage & shock caused by sharp substance and also heavy blunt substance whereas, the allegation has been made of assaulting by means of iron rod. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 1.10.2021.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Shri Nagar P.S. Case No. 42 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIII, Madhepura.

(Sunil Kumar Panwar, J)

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