

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 67217 of 2022

Arising Out of PS. Case No.-505 Year-2022 Thana- SARAIYA District- Muzaffarpur

Sanjeet Paswan S/o Ram Chandra Paswan R/o Village- Raypura, P.S.-
Vaishali, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

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

The petitioner seeks bail in connection with Saraiya
P.S. Case No. 505 of 2022 registered for the offence under
Sections 302/120(B)/34 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 28.07.2022.

The allegation against the petitioner is to commit
murder of mother of informant alongwith other co-accused
persons due to previous enmities, while she went to Jaitpur
market for purchasing vegetables.



Learned counsel appearing on behalf of the petitioner submitted that informant is not an eye witness of the occurrence where not even suspicion was raised through F.I.R. against this petitioner. It is further submitted that merely on the basis of conversation, as found through call detail report of deceased and the petitioner, the petitioner was implicated with present case, where save and except call detail report, no incriminating material recovered/surfaced during the course of investigation, which may suggest the involvement of petitioner with present occurrence. While concluding the argument, it has been submitted that 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, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except call detail report, no incriminating material recovered/surfaced during the course of investigation, which may connect petitioner, *prima facie*, with present occurrence, coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Saraiya P.S. Case No. 505 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Muzaffarpur(West)/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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