

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73351 of 2022

Arising Out of PS. Case No.-192 Year-2017 Thana- SANGRAPUR District- East
Champaran

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Rajan Paswan Son of Hulash Paswan Resident of village - Olaha Madhubani
Dusadh Patti, P.S.- Sangrampur, District - East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
07.05.2022 in connection with Sangrampur P.S. Case No. 192 of
2017, F.I.R. dated 02.11.2017 for the offences punishable under
Sections 302, 201/34 of the Indian Penal Code.

According to prosecution case, the husband and other
family members of the daughter of the informant have
committed the murder of the daughter of the informant and
thrown her body somewhere.



Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the basis of suspicion. He further submits that the dead body was not found and despite of this fact, the prosecution has filed the charge sheet against the petitioner under Section 302, 201/34 of the Indian Penal Code. He further submits that except the suspicion, no cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. The petitioner is in custody since 07.05.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Sangrampur P.S. Case No. 192 of 2017, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present



as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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