

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75147 of 2022

Arising Out of PS. Case No.-37 Year-2022 Thana- BHAGWANPUR District- Begusarai

BHIM PASWAN S/o Late Brahmdeo Paswan @ Brahmdeo Paswan, R/o
Village- Cheriya, P.S.- Bhagwanpur, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Shyam Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 03-04-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Bhagwanpur P.S. Case No. 37 of 2022 registered for
offence punishable under sections 302, 201/34 of the Indian
Penal Code.

As per allegation, Chhatrapal (deceased), who is
brother of the informant, was working in Bareli with co-accused
Manoj Paswan and he went to Chheriya village with him. Later
on, his dead body was found near the bank of river *Gandak*. The



informant came to know that Manoj Paswan, Rahul Kumar and the petitioner had killed the deceased and took away Rs. 25,000/- from his possession.

The learned counsel for the petitioner has submitted that the petitioner is a person of clean antecedent and has falsely been implicated in this case merely because he is brother of co-accused Manoj Paswan, who was working with the deceased in Bareilly. There is no motive attributed against the petitioner and he is under custody since 02.03.2022. The informant is not an eye-witness of the occurrence.

On the other hand, the learned APP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai in connection with Bhagwanpur P.S. Case No. 37 of 2022 , subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.



(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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