

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8398 of 2024

Arising Out of PS. Case No.-97 Year-2021 Thana- BIHTA District- Patna

Suraj Paswan Son of Ganga Bishun Paswan Village -Gulamalichak Police
Station -Bihta District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunit Kumar Srivastava, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Bihta
P.S. Case No. 97 of 2021 instituted for the offences under
Section 341, 342, 363, 328, 302, 120(B), 34 of the Indian
Penal Code.

3. As per prosecution case, all the FIR named
accused persons including the present petitioner assaulted
the husband of the Informant and administered poison to
him as a result of which he died.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in the present case due to village politics. There is no specific or direct allegation against the petitioner rather the same is general and omnibus. He further submits that the viscera report shows that no Metallic, Alkaloidal, Glucosidal, Pesticidal and volatile poison could be detected. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 03.08.2023.

5. Learned counsel for the petitioner again submits that the co-accused namely Golu Paswan, Mantu Paswan and Ganga Vishun Paswan have been granted bail by a Co-ordinate Bench of this Court vide order dated 11.04.2022 passed in Cr. Misc. No. 42163 of 2021.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also considering the claim of parity, let the petitioner, abovenamed, be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten thousand) with two sureties
of the like amount each to the satisfaction of Court
below/concerned Court in connection with Bihta P.S. Case
No. 97 of 2021.

(Rudra Prakash Mishra, J)

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