

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11513 of 2024

Arising Out of PS. Case No.-174 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Bipin Paswan @ Bipin Kumar Paswan Son Of Late Surath Paswan @ Brij
Paswan R/O-Rupdih, P.S.-Muffasil, Distt.-East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.
For the Opposite Party/s : Mr.Anil Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 10-04-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Muffasil P.S. Case No. 174 of 2023 dated 28.02.2023 registered for the offences punishable u/ss 147, 149, 341, 323, 325, 307, 302, 379 and 452 of the Indian Penal Code.

3. As per the prosecution case, all the F.I.R. named accused persons including this petitioner and 5-6 unknown miscreants are alleged to have entered the house of the informant. On being objected, the co-accused, Pramod Paswan assaulted on the informant's head with iron rod which hit his lip causing cut injury. When his grand-mother came to rescue, she was assaulted on the back of her head with butt of three knot by the co-accused persons, Karan Paswan, Raushan Kumar and the petitioner Bipin Paswan due



to which she sustained head injury and as a result of which she died during treatment. It is further alleged that the accused, Aditya Paswan looted ornaments worth Rs. 1,50,000/- and Rs. 30,000/- in cash. The petitioner, Bipin Paswan also snatched Rs. 22,000/- from the informant. On seeing the villagers, all the accused persons fled away.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The allegation of snatching against the petitioner is ornamental. Learned counsel has further submitted that the specific allegation is against the co-accused, Pramod Paswan of assaulting the informant with iron rod rather the allegation against the petitioner is general and omnibus. No incriminating article has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted regular bail by this court vide order dated 24.08.2023 passed in Cr. Misc. No. 52954 of 2023. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.08.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East



Champaran, Motihari in connection with Muffasil P.S. Case No. 174
of 2023, with the condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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