

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23248 of 2024

Arising Out of PS. Case No.-222 Year-2020 Thana- GHANSHYAMPUR District- Darbhanga

Sudhir Paswan@ Suadhir Paswan SON OF LATE TEAR PASWAN
RESIDENT OF VILLAGE- GHASHYAMPUR, PS- GHANSHYAMPUR,
DIST- DARBHANGA. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanchan Jha, Advocate

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-04-2024 1. Heard learned counsel appearing on behalf

of the petitioner and learned counsel appearing on behalf

of the State.

2. The petitioner seeks bail in connection with

Ghanshyampur P.S. Case No. 222 of 2020 registered for

the offence under Sections 328, 302 and 34 of the

Indian Penal Code.

3. The accused/petitioner is named in the F.I.R.

and is in custody since 20.12.2023.

4. The allegation against the petitioner is to

commit murder of brother of the informant after

administering poison in liquor along with other co-

accused persons.



5. Learned counsel appearing on behalf of the petitioner submitted that admittedly, informant is not the eye-witness of the occurrence, where, entire allegation is based upon suspicion. It is also submitted that from bare perusal of FIR, it appears that specific allegation is against co-accused, namely, Vijay Kumar Mishra, in the background of local political rivalry. It is also submitted that similarly situated co-accused persons have already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 19063 of 2021 dated 15.11.2020, Cr. Misc. No. 38805 of 2022 dated 13.09.2022 and Cr. Misc. No. 30225 of 2023 dated 16.05.2023 respectively. It is also submitted that nothing incriminating surfaced during course of investigation, which may connect this petitioner with the present set of occurrence and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.



6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as allegation against this petitioner is very much general and omnibus rather same is specific against co-accused, namely, Vijay Kumar Mishra, where informant is not the eye-witness of the occurrence coupled with the fact that charge-sheet has already been submitted, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Session Judge-I, Darbhanga/concerned court, in connection with Ghanshyampur P.S. Case No. 222 of 2020, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J)

veena/-

U		T	
---	--	---	--

