

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44221 of 2024**

Arising Out of PS. Case No.-295 Year-2022 Thana- DALSINGHSARAI District- Samastipur

Surendra Paswan Son of Late Ram Sagar Paswan RESIDENT OF VILLAGE-  
KEWTA PIPERPANTI , P.S.- DALSINGSARAI, DIST- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mukesh Kumar, Adv.

For the Opposite Party/s : Mr.Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

4      13-11-2024                      Heard Mr. Mukesh Kumar, learned counsel for the  
petitioner and learned APP for the State.

2. The petitioner is in judicial custody in connection with Dalsingsarai P.S. Case No. 295 of 2022 for the offences punishable under Sections 302, 201, 120B/34 of the Indian Penal Code lodged on 03.08.2022 by the informant, Priyanshu Devi.

3. As per the prosecution story, the informant alleged that her husband after informing her, that he has been called by this petitioner, moved on the motorcycle. In the night when she made another call, he informed that he is still in village, Kewta whereafter, the mobile was switched off, he did not return in the next morning and his dead body was found near the river which led to the FIR.



4. In this case, the Co-ordinate Bench by an order dated 25.09.2024 had called for the case diary which is on record.

5. Learned counsel for the petitioner submits that there is no eyewitness to the occurrence, they were old friends, only because there was money issue, he has been made suspect/accused in the case, he has already suffered by being in custody since 10.11.2023 (para-7 of the petition).

6. Learned APP, Mr. Bharat Bhushan has gone through the case diary and has drawn attention of this Court to paragraph-25 which is the statement of one Bishundeo Rai, according to which, he was present at Panchayat Sarkar Bhawan where both the petitioner and the deceased were having liquor. Later, they started abusing each other whereafter, he left that place. He submits that the dead body was found at that place near in the river.

7. The reason has been assigned, the petitioner was having the money of the deceased, was asking him to return the same, the informant alleges that the call was made by the petitioner whereafter, her husband went to the said place and when the call was made at 9 o'clock, he confirmed to be at the same place. Further, one of the independent witnesses has



recorded that the petitioner was having liquor with the deceased, both were abusive, he left the place and later, the dead body was found there.

8. Considering the aforesaid facts/submissions and the investigation that has come showing implication of this petitioner, this Court does not deem it fit and proper to extend the privilege of bail to the petitioner. Accordingly, the bail application stands rejected.

**(Rajiv Roy, J)**

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