

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45712 of 2024

Arising Out of PS. Case No.-395 Year-2023 Thana- CHIRAIYA District- East Champaran

Awanish Kumar @ Awanish Paswan Son Of Naga Paswan Resident Of Vill-
Kapur Pakri, Kathauliya Bazar, P.S.- Sikarganj, District- East Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201, 34 of the Indian Penal Code.

3. As per prosecution case, it is alleged that the informant was informed by a villager that dead body of his son was laying in husk house of Sikandar Paswan. Upon which, the informant reached there and found his son's dead body. It is further alleged that the petitioner along with co-accused persons killed the son of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Neither there is any eye



witness nor any consistent evidence against the petitioner. The entire prosecution hinges around mere suspicion. It is further submitted that the petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 3.2.2024. Moreover, similarly situated co-accused namely, Chamkar Paswan has already been granted bail by this Court vide order dt. 13.12.2023 passed in Cr. Misc. No. 80082 of 2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Chiraiya (Sikarganj) P.S. Case No. 395 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sikarhana at Dhaka (East Champaran).

(Sunil Kumar Panwar, J)

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