

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43641 of 2024

Arising Out of PS. Case No.-281 Year-2023 Thana- MAHNAR District- Vaishali

Abodh Kumar @ Abodh Paswan S/o Bajinath Paswan @ Baidnath Paswan @
Lafua R/o Deshrajpur, Ward No 20, P.S.- Mahnar, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Bhardwaj, Advocate
		Mr. Gaurav Singh, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP
For the Informant	;	Mr. Alok Ranjan, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 18-09-2024 Heard learned counsel for the petitioner, learned APP
for the Sate as well as learned counsel for the Informant.

2. The petitioner is in custody in a case registered in a
case for an offence punishable under Sections 302/34 of the
Indian Penal Code.

3. As per allegation in the FIR, it is a case of assault
of the father of the informant by some unknown persons
wherein the father of the informant succumbed to his injuries
and also theft of articles from the house of the informant as well
as cash.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next



submits that there is no eye witness to the alleged occurrence and there is no direct statement to associate the petitioner with the alleged occurrence. He next submits that on perusal of para-56 of the case diary, it appears that the petitioner has given confessional statement but the confessional statement has been signed by the petitioner through force and the name of the petitioner came on the basis of suspicion due to village politics. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 08.12.2023. He further submits that on 04.11.2023, the informant submitted his written statement as stated in para-27 of the case diary implicating that the petitioner has threatened to kill the informant but the name of the petitioner was given by the informant on the basis of mere suspicion after 23 days of lodging of the FIR.

5. Learned APP for the State as well as learned counsel for the Informant opposes the prayer for bail.

6. Considering the aforesaid facts and circumstances as well as the fact that petitioner is in custody for about nine months, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction Sri Rohit Kumar Gupta, Judicial Magistrate, Ist Class, Vaishali at



Hajipur/concerned Court in connection with Mahnar P.S. Case
No.281 of 2023.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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