

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51376 of 2024

Arising Out of PS. Case No.-129 Year-2022 Thana- HATHAURI District- Samastipur

Krishna Kumar Paswan Son Of Rambali Paswan Village- Madhurapur, Ps-
Hathauri, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate
For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending
his arrest in connection with Hathauri P.S. Case No. 129 of 2022
registered for the alleged offences under Section 305 of the Indian
Penal Code.

03. As per prosecution case, the sister of the informant
committed suicide due to torture inflicted by the petitioner and his
co-accused wife.

04. Learned counsel for the petitioner submits that
petitioner is father of the informant and the deceased and has been
falsely implicated in this case. The petitioner never tortured the
deceased who committed suicide. The co-accused wife of the
petitioner namely Guriya Devi has been acquitted as the informant

did not support the prosecution case. Learned counsel further submits that though it is claimed that death occurred due to hanging but opinion was reserved in post mortem report till F.S.L report of viscera. So the cause of death is also doubtful. The petitioner has clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the doubtful nature of accusation against the petitioner and further considering possibility of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned Judicial Magistrate-1st Class, Rosera, Samastipur in connection with Hathauri P.S. Case No. 129 of 2022, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date

fixed by the court below, if so
required by the learned trial
court.

(Arun Kumar Jha, J)

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