

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76274 of 2024**

Arising Out of PS. Case No.-469 Year-2023 Thana- BAHADURPUR District- Darbhanga

SANDEEP KUMAR @ SANDEEP PASWAN @ PIPI SON OF MR. BIHARI  
PASWAN RESIDENT OF VILLAGE - RAGHEPURA, P.S. -  
BAHADURPUR, DISTRICT - DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vaishnavi Singh

For the Opposite Party/s : Mr. Uday Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

3      29-11-2024                      Heard learned counsel for the petitioner and learned  
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bahadurpur P.S. Case No. 469/2023 dated 25.09.2023 registered for the offence punishable u/s 302 and 201 read with 34 of the Indian Penal Code.

3. As per the prosecution case, on 24.09.2023 at 9 PM, the informant along with his family members was sleeping at his Sirki, in the meantime, one miscreant took away his younger son. On hearing the sound of his son, the informant woke up and chased him and apprehended the petitioner who disclosed his name as Sandeep Paswan. On inquiry, the petitioner Sandeep Paswan stated that the co-accused Rajan Paswan took away the informant's son, Shivam Kumar. The informant informed the police and handed over the



apprehended person to the police. On search, the informant found dead body of Shivam Kumar in a ditch situated at village Raghepura Nunubandh. On inquiry, the petitioner Sandeep Paswan stated that the co-accused has given Rs. 500/- to him and said that the kidney of the child would be sold and the money would be divided among them. The informant has alleged that the petitioner and the co-accused person have stolen the informant's son for selling his kidney but on being chased by the informant they killed the informant's son and threw his dead body in the water.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no specific allegation of kidnapping the informant's son. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.09.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that there is specific allegation against the petitioner. As per para. 3 of the case diary, it is further submitted that at the instance of the petitioner and the co-accused persons, police recovered the dead body of Shivam Kumar from the ditch. As per the post-mortem report, the cause of death is due to asphyxia as a result of drowning in water.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of



Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Darbhanga in connection with Bahadurpur P.S. Case No. 469/2023, with the following condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(ii). If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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