

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69308 of 2023

Arising Out of PS. Case No.-42 Year-2021 Thana- NAUTAN District- Siwan

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Rafi Paswan Son Of Kanhaiya Paswan Resident Of Village - Padri, P.S. -
Shivsagar, District - Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Anupam
For the Opposite Party/s : Mr. Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 25-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 302, 394/34 of the Indian Penal Code.

3. It is a case of commission of murder of the informant's son by stabbing knife by unknown accused persons.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Neither the petitioner is named in the FIR nor put on TIP. His name has been surfaced in this case on the basis of his self confessional statement recorded in para 52 of the case diary. During investigation, save and except his self confessional statement, nothing has come against the petitioner to show his complicity



in the present case. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 6.12.2021 passed in Cr. Misc. No. 55191 of 2021. Petitioner is languishing in judicial custody since 7.4.2021.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant and petitioner has confessed his guilt in his self confessional statement before the police. Postmortem report is in consonance with the prosecution story.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge IX, Siwan in connection with ST No. 116/22 Nautan PS Case No. 42 of 2021.

(Sunil Kumar Panwar, J)

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