

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77768 of 2024

Arising Out of PS. Case No.-39 Year-2012 Thana- ASHTHAWAN District- Nalanda

Ranjit Paswan S/O Suresh paswan R/O Village- Barara (Badhara), P.S-
Noorsarai, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Md. Matloob Rab, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-10-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with S.Tr.
No. 86 of 2013, arising out of Asthawan P.S. Case No. 39 of
2012, instituted for the offences punishable under Sections
302/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, while the
informant was returning from field, two men caught her and
covered her mouth and two other men caught her *gotni* and tied
her hands and legs. After some time she heard groaning sound
of her husband. Later on when she went inside her house, she
found her husband dead.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case during course of investigation. The present case is misuse of privilege of bail earlier granted to the petitioner. Earlier the petitioner was granted bail on 12.09.2012 by the learned Court below. It is submitted that the petitioner has regularly appeared prior to 02.03.2020 and last witness i.e. P.W. Ranveer Kumar was examined on 16.07.2019, thereafter no witness have turned up in this case. After lock down period no notice or summon has ever been served to the petitioner, hence, the petitioner was not aware of the status of the case. Lastly on 07.08.2024 bail bond of the petitioner has been cancelled. Learned counsel for the petitioner further submits that the petitioner undertakes to abide by any conditions imposed by this Court, if released on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody



undergone by the petitioner as also the undertaking given by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S.Tr. No. 86 of 2013, arising out of Asthawan P.S. Case No. 39 of 2012, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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