

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.377 of 2024

Arising Out of PS. Case No.-238 Year-2023 Thana- BHAGWANPUR District- Begusarai

Guddu Paswan @Gudda Paswan @ Guddu Paswan @Guddu Pas son of
Mahendra Paswan @ Lali Paswan RESIDENT OF VILLAGE-
MAHESHPUR, P.S.-BHAGWANPUR (TIYAIY) DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhagwanpur P.S. Case no. 238 of 2023, registered under sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that her son went out with one person on motorcycle and thereafter did not return. Later, she got information about her son being found in an injured condition and having been taken to the hospital. On reaching the hospital, she found that her son had died.

4. Learned counsel for the petitioner submits that



the FIR was registered against unknown. The petitioner was falsely implicated in the case in the confessional statement of co-accused Vikas Kumar wherein the co-accused states that the deceased had narrated to him that he had seen the petitioner with his mother in an objectionable condition. It is further submitted that surprisingly the said co-accused Vikas Kumar on one hand is said to be close to the deceased who confided to him about the affair of the petitioner with his mother and on the other hand Vikas Kumar also participated in the occurrence leading to his killing. The petitioner is in custody since 4.10.2023 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, the confessional statement of the co-accused being before the police together with the petitioner having remained in custody for 5 months since 4.10.2023, his not having any criminal antecedent and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Bhagwanpur P.S. Case no. 238 of 2023, on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)
with two sureties of the like amount each to the satisfaction of
the learned Chief Judicial Magistrate, Begusarai.

(Partha Sarthy, J)

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