

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2271 of 2024

Arising Out of PS. Case No.-174 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champanan

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Aditya Paswan @ Aditya Kumar S/O Late Dhruv Paswan R/O Village-
Kamiti Chowk Barkurwa, P.S- Muffasil, Distt.- East Champanan, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Muffasil P.S. Case No. 174 of 2023, registered for the offences
punishable under Sections 147, 149, 341, 323, 325, 307, 302,
379 and 452 of the Indian Penal Code.

3. As per the prosecution case, all the FIR named
accused persons including the petitioner and 5-6 unknown
miscreants entered into the house of the informant and when the



same was objected, the co-accused Pramod Paswan assaulted on the informant's head with iron rod and when his grandmother came to rescue, she was assaulted on her head with butt of pistol by co-accused persons, namely, Karan Paswan, Raushan Kumar and Bipin Paswan due to which she sustained head injury and she died during the course of the treatment. The allegation against the petitioner is that he looted ornaments and cash.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that no incriminating material has been recovered from the conscious possession of the petitioner. He also submits that petitioner has one criminal antecedent and he is in jail custody since 05.07.2023. He further submits that charge-sheet has already been submitted in this case against the petitioner and there is no chance of absconding the petitioner or tampering with the evidence. He also submits that similarly situated accused person, namely, Vijay Sah has been granted regular bail by the Co-ordinate Bench of this Court vide order dated 24.08.2023 passed in Cr. Misc. No. 52954 of 2023. He further submits that co-accused, namely, Deepak Paswan and Jitendra paswan have been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 18.01.2024 passed



in Cr. Misc. No. 84438 of 2023.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, 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 learned C.J.M., East Champaran, Motihari in connection with Muffasil P.S. Case No. 174 of 2023.

(Sunil Dutta Mishra, J)

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