

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13339 of 2025

Arising Out of PS. Case No.-155 Year-2024 Thana- JANDAHA District- Vaishali

1. Jaikant Paswan @ Jaikant Kumar Paswan S/O Late Sewak Paswan @ RamSewak Paswan R/O - Hasanpur Buzurg,urg Ward no- 14, P.S- Jandaha, District- Vaishali
2. Avinash Paswan @ Avinash Kumar Paswan S/O Arvind Paswan R/O - Hasanpur Buzurg,urg Ward no- 14, P.S- Jandaha, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Jandaha P.S. Case No. 155 of 2024 instituted for the offences under Sections 341, 323, 448, 302, 504/34 of the Indian Penal Code.

3. Prosecution story, in short, is that the accused persons including the petitioners have assaulted the son of the informant by means of sticks and rods, due to which he died.

4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submitted that general and



omnibus allegation has been made against these petitioners. No specific overt act is alleged against these petitioners. Learned counsel further submitted that, as a matter of fact, the deceased was mentally challenged and he fell down, during altercation, bursting his head on the ground which caused his death. It has been submitted on behalf of the petitioners that the petitioners are in custody since 02.09.2024 and no criminal antecedent. The co-accused person has already been granted bail by this Court vide order dated 17.12.2024 passed in Cr. Misc. No. 73592 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jandaha P.S. Case No. 155 of 2024, subject to the following conditions:

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



the family of the petitioners.

(II) The petitioners 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 petitioners.

(Rudra Prakash Mishra, J)

Alok Verma/-

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