

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15066 of 2025

Arising Out of PS. Case No.-416 Year-2024 Thana- BAIRIYA District- West Champaran

Suresh Paswan @ Suresh Prasad @ Suresh Hajara, aged about 55 years (Male), S/O Late Manu Paswan, R/o village- Laukariya Mushar Toli, Ward 3, P.S- Bairiya, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Dhannjay Kumar II, Advocate
For the Opposite Party : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-03-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Bairiya P.S. Case No. 416 of 2024 dated 25.11.2024 registered for the offences punishable under Sections 191(2), 329(3), 352, 115(2), 118(2) and 103(1) of B.N.S.

3. As per the prosecution case, on 24.11.2024 at about 9.00 P.M., the petitioner and the other co-accused persons are alleged to have come at the door of the informant and the co-accused Khelawan Paswan abused the informant's father and on protest, he brought 'Gadasa' from his house and also called other accused persons and on the order of the other co-accused persons, the co-accused Khelawan Paswan, assaulted on the



head of the informant's father with 'Gadasa', due to which, he got unconscious. He was brought to P.H.C., Bairiya and from where he was referred to G.M.C.H., Bettiah, for better treatment and in course of his treatment, he died. It is further alleged that America Manjhi and Achhel Lal Manjhi were also got assaulted when they came to pacify the matter and they were also treated at G.M.C.H., Bettiah.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no specific allegation of assault on the deceased against the petitioner rather the same is against the co-accused Khelawan Paswan. There is general and omnibus allegation against the petitioner. No incriminating article has been recovered from his possession. He has no concern with the alleged offence. It is further submitted that the co-accused Khelawan Paswan and the deceased have quarreled with

each other in drunken state and thereafter scuffle took place between them but the petitioner has been named in the present case only because the petitioner is co-villager of the co-accused Khelawan Paswan. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody



in this case since 26.11.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, West Champaran, Bettiah in connection with Bairiya P.S. Case No. 416 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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