

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33344 of 2025

Arising Out of PS. Case No.-64 Year-2024 Thana- MUFFASIL District- West Champaran

Nagesar Paswan @ Nagesar Hazra @ Nagesar Sah Son of Late Dukhi Hazara
Resident of Village Lalgarrh Ward No 4 PS Bettiah Muffasil District West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 33702 of 2025

Arising Out of PS. Case No.-64 Year-2024 Thana- MUFFASIL District- West Champaran

Suresh Sah Son of Late Mahath Sah R/o Village Lalgarrh Ward No 4 PS
Bettiah Muffasil District West Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 33344 of 2025)

For the Petitioner/s : Mr. Gun Sagar Mahto, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 33702 of 2025)

For the Petitioner/s : Mr. Gun Sagar Mahto, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioners and

learned A.P.P. for the State.

2. The petitioners seek bail in connection with Bettiah

Mufassil P.S. Case No. 64 of 2024 registered for the offences

punishable under Sections 302, 201 and 34 of the Indian Penal

Code.



3. As per the prosecution case, the informant alleged that the five named accused persons had killed his wife by strangulation as there was a dispute between them.

4. Learned counsel for the petitioners submits that petitioners are not named in the FIR and subsequently during the course of investigation it has come that the petitioners along with other six not named accused persons had disposed of the body of the wife of the informant. Learned counsel further submits that there is nothing specific against the petitioners to connect the petitioners with the aforesaid crime barring the confessional statement. There is no eye witness to the occurrence. Learned counsel further draws the attention of this Court towards Annexure P2 whereby similarly situated co-accused persons have been granted anticipatory bail by a coordinate Bench of this Court. It is lastly submitted that petitioner Nagesar Paswan has antecedent of one case and he is in judicial custody since 10.03.2025 whereas petitioner Suresh Sah has antecedent of two criminal cases and he is in judicial custody since 13.03.2025.

5. Learned A.P.P. for the State opposes the prayer for bail of the petitioners.

6. Considering the submissions made by the learned



counsel for the parties and taking into account that the petitioners are not named and their names have surfaced in the confessional statement of a co-accused and also taking into account that similarly situated co-accused persons have been granted bail by a coordinate Bench of this Court, let the petitioners above-named, be released on bail on each of them furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bettiah Muffasil P.S. Case No. 64 of 2024 subject to the conditions

- a. One of the bailors of the petitioners shall be their close relative.
- b. The petitioners shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioners in similar nature of offence, the bail bond of the petitioners will be liable to be canceled by the Court concerned.
- d. And further condition that the court below shall



verify the criminal antecedents of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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