

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49550 of 2025

Arising Out of PS. Case No.-295 Year-2022 Thana- DALSINGHSARAI District- Samastipur

Surendra Paswan S/o Late Ram Sagar Paswan R/o Vill- Kewta Piprapanti,
P.S.- Dalsingsarai, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 14-11-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with S.T. No. 108 of 2024 arising out of Dalsingsarai P.S. Case No. 295 of 2022 for the offences punishable under Sections 302, 201, 120B/34 of the Indian Penal Code lodged on 03.08.2022 by the informant, Priyanshu Devi.

3. As per the prosecution story, the informant alleged that her husband after informing her, that he has been called by this petitioner, moved on the motorcycle. In the night, when she made another call, he informed that he is still in village, Kewta whereafter, the mobile was switched off. He did not return in the next morning and his dead body was found near the river which led to the FIR.

4. Earlier, the bail application of the petitioner was



rejected in Cr. Misc. No. 44221 of 2024 on 13.11.2024 and this is the second prayer.

5. Learned counsel for the petitioner submits that charges have been framed in the matter and if given a chance, he shall be diligently appearing in trial. Further, he is in custody since 10.11.2023.

6. Learned APP opposes the prayer for bail submitting that he was the person who was last having liquor with the deceased, had money issue and this led to the alleged death.

7. Taking into account the submissions of the parties as also the fact that he is in custody since 10.11.2023 and charges have been framed, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned District and Additional Sessions Judge, Dalsinghsarai at Samastipur in connection with S.T. No. 108 of 2024 arising out of Dalsinghsarai P.S. Case No. 295 of 2022 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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