

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67677 of 2024

Arising Out of PS. Case No.-77 Year-2006 Thana- TURKAULIYA District- East Champaran

Rambhu Paswan Son of Chandrika Paswan Resident of Village - Semra Khas
Hodi Tola, Police Station - Turkauliya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar II, Adv.

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 24-01-2025 Heard the parties.

2. The petitioner is in custody in connection with S. Tr. No. 295 of 2023 arising out of Turkauliya P.S. Case No. 77 of 2006 registered for the offences under sections 147, 148, 149, 447, 341, 323, 324, 325, 326, 302 and 504 and 302 of the Indian Penal Code lodged on 11.04.2006 by the informant, Ranjeet Pawan.

3. The prosecution case, in brief, as stated in the written application of the informant is that his father was sitting at his door after taking meal, at about 8:00 PM in the night, the petitioner alongwith other accused persons armed variously came there and started assaulting him with fists and slaps. Co-accused Chandrika Paswan gave an order to kill him and on his order, all the accused persons took him away to the wheat field



and assaulted him. When the informant's brother, Raju Paswan went there to rescue his father, the accused persons also assaulted him. Co-accused Raghav Paswan assaulted the father of the informant by means of 'barchhi'. As a result, his father died on the spot. Accordingly, the FIR.

4. It has been contended by the learned Counsel for the petitioner that omnibus allegation has been made against all the accused persons including the petitioner of armed variously assaulting the father of the informant who, subsequently died.

5. Learned APP for the State, on the other hand, submits that a bare perusal of the FIR would show that it is of the year 2006 and the petitioner has walked into judicial custody after long 16 years.

6. This Court has taken note of the fact and earlier, the bail was denied on the ground that in the case in which FIR was lodged in the 2006, he delayed coming into judicial custody and in that background, the bail application was rejected in Cr. Misc. 35109 of 2023 on 12.07.2023.

7. He has already remained in custody for more than a year, has no criminal antecedent, an undertaking has been given that if granted relief, 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 2nd Addl. Session Judge, East Champaran Motihari in connection with S. Tr. No. 295 of 2023 arising out of Turkauliya P.S. Case No. 77 of 2006 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;

(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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