

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89793 of 2024

Arising Out of PS. Case No.-210 Year-2024 Thana- WARISNAGAR District- Samastipur

Ram Babu Paswan S/o Kisunder Paswan R/o Vill- Mohiuddinpur, P.S.-
Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy,Adv.

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-01-2025 Heard Mr. Dilip Kumar Roy, learned counsel for the

petitioner and Mr. Md. Mustaque Alam, learned APP for the

State.

2. The petitioner apprehends his arrest in connection
with Warisnagar P.S. Case No. 210/ 2024 dated 30.08.2024
registered for the offence(s) punishable under Section(s) 103(1)
and 3(5) of the BNS.

3. The main submissions advanced by learned counsel
for the petitioner are that the petitioner has fair and clean
antecedent and as per the FIR, the main allegation as to
assaulting at the vital part of the body of the deceased is against
other co-accused persons who have been arrested and their
prayer for regular bail is pending before the trial court and so far
as this petitioner is concerned, he is simply arrayed in the FIR



without disclosing any specific role in the commission of the alleged offence and the main injury which is said to be the cause of the death of the deceased is specifically attributed to co-accused, Kavita Devi and in between both the parties there is land dispute, in fact, the deceased was a heart patient and a regular drinker which might be the reason for his death on account of heart failure due to consuming toddy.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner and submitted that the instant matter relates to the unnatural death of informant's husband and the petitioner is named in the FIR.

5. Having considered the above submissions advanced by the petitioner's counsel and mainly taking into account the fact that against this petitioner there is no specific allegation in the FIR and the main allegation as to causing injury at the vital part of the body of the deceased is against other co-accused and the injury which is said to be the cause of the death of the deceased is specifically attributed to co-accused, Kavita Devi as per the FIR and also taking into account the petitioner's fair and clean antecedent, this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the



learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Warisnagar P.S. Case No. 210/ 2024 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 484(2) of the BNSS.

(Shailendra Singh, J)

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