

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25568 of 2026

Arising Out of PS. Case No.-69 Year-2026 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Viro Paswan S/O Late Rajpati paswan R/O Vill.- Hasanpur Jitwarpur, ward
no. 15, P.S. Samatipur mufassil, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 03-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 103(1),
126(2), 127(2), 115(2), 351(3) and 3(5) of BNS.

3. The case of the prosecution is that the petitioner
along with others has assaulted to one Satish Kumar @ Jassi with
slaps and fists. After that, they have strangled him by putting
rope around his neck due to which he died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Learned
counsel for the petitioner has submitted that from perusal of the
FIR, it is clear that the nature of the allegation is general and
omnibus. There is no allegation of specific overt act against the



petitioner. It has further been submitted that the deceased was having relationship with one Lovely Kumari, who denied to marry the deceased, due to which he committed suicide. From perusal of the postmortem report, it transpires that the doctor conducting the autopsy of the deceased has opined that the cause of death is asphyxia due to homicidal strangulation, but from perusal of the postmortem report, it also transpires that the doctor has only found a ligature mark on the person of the deceased as an ante-mortem injury. Learned counsel for the petitioner has submitted that had it been a forceful hanging by numerous persons, there must have been resistance and other injuries on the body of the deceased must have been there. It is further submitted that the opinion of the doctor is not based on objective findings. He further submits that similarly situated co-accused namely, Savita Devi has been granted bail by this Court vide Cr. Misc. No. 26897 of 2026. Moreover, the petitioner is languishing in judicial custody since 24.02.2026.

5. The learned APP appearing for the State and the learned counsel for the informant have vehemently opposed the prayer of regular bail and submit that the petitioner has got criminal antecedents of two cases of the Excise Act. Learned counsel for the informant has submitted that the petitioner along with others has killed the deceased in his own house.



6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Samastipur (Muffasil) P.S. Case No. 69 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 2nd Samastipur.

(Ashok Kumar Pandey, J)

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