

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7093 of 2020

Arising Out of PS. Case No.-36 Year-2018 Thana- BANDHUWA KURAWA District- Banka

Kenouli Paswan, Aged about 71 Yrs, (M), Son of Late Biju Paswan, Resident of Village - Ithari, P.S. Banduwa Kurawa, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 29-05-2020 Heard Mr. Ranjan Kumar Jha, learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned counsel appearing for the State through video conferencing.

The petitioner seeks regular bail in connection with Bandhuwa Kurawa P.S. Case No. 36 of 2018, registered for the offence punishable under Sections 302/506/34 of the Indian Penal Code, 1860.

The allegation against the petitioner is that the petitioner along with other accused persons have killed the daughter of the informant and hanged her from a tree.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to village politics. Learned counsel further submits that from perusal of the First Information Report it would be evident that no specific



allegation of assault or overt act has been alleged against the petitioner and the allegation of strangulation through rope is upon the co-accused Fekan Paswan and two other co-accused namely, Lilo Paswan and Binouli Paswan have allegedly dragged the deceased with the help of rope. The role of petitioner in the offence has only been attributed to the extent that he allegedly prevented and threatened the family members of the deceased from reporting the incident to the Police. Learned counsel further submits that the other co-accused namely, Lilo Paswan and Binoli Paswan have been granted bail by this court in Cr. Misc. No. 80501 of 2018, which is Annexure- 2 to the present petition.

Having regard to the submissions made by the parties and taking into consideration the fact that the other co-accused persons have been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Banka in connection with Bandhuwa Kurawa P.S. Case No. 36 of 2018 on the following conditions:-

- (1) Bailors should be local having



sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in case of his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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