

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47812 of 2014

Arising Out of PS.Case No. -33 Year- 2014 Thana -BELCHHI District- PATNA

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1. Mahendra Paswan
2. Madan Paswan
Both Sons of Piyare Paswan Resident of village- P.O.- Kabirchak,
P.S.- Belchi, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Nityanand Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 24-03-2015 Heard learned counsel for the petitioner as well as

learned A.P.P for the State.

The deceased, Sapna Kumari, while she was staying at her Sasural was done to death by her father-in-law and then thereafter it has been alleged that her dead body was disposed of in association with the petitioners along with others.

During course of investigation, the mother-in-law of the deceased has been examined under para 4 as well as she was also examined under Section 164 Cr.P.C. (para- 28) wherefrom it is evident that she claimed herself to be an eye witness and further pin pointed her husband Rajo Paswan to be the main culprit, who after commission of murder of the deceased called the petitioners

along with others, who happens to be his agnates and with their active connivance disposed of the dead body. It is also apparent from paragraph 67 that the dead body was excavated from a place as pointed out by the petitioners under their extra judicial confessional statements recorded under paragraphs 61 and 62 of the case diary.

From post mortem report it is evident that the deceased was done to death on account of throttling. However, the allegation would be against the petitioners happens to be punishable in terms of Section 201 of the Indian Penal Code, which is bailable one and on account thereof the petitioners, Mahendra Paswan and Madan Paswan are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Barh, District - Patna, in Belchi P.S. Case No.33/2014.

(Aditya Kumar Trivedi, J)

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