

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40710 of 2015

Arising Out of PS.Case No. -217 Year- 2011 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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Hari Nandan Paswan S/o - Late Bhav Taran Paswan R/o - vill. - Malhipur,
P.S. - Sahebpur Kamal, Dist. - Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Uma Nath Mishra(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 30-11-2015

Heard both sides.

The petitioner apprehends arrest in a case registered for the offences punishable under sections 302/34 and other allied sections of the Indian Penal Code.

The informant alleged that Kanhaiya and Kiran Kumar were quarrelling with each other. Bhajan Paswan, husband of the informant rushed there to save his son but the accused persons are alleged to have assaulted him with fists and slaps and also with the Cricket bat. When the husband of the informant fell down on road, the petitioner gave a Bat blow on the back side of the head of Bhajan Paswan, who died at the spot.

It is submitted that there was no intention on the part of the petitioner to kill the deceased and quarreling took place

due to play of Cricket. There was no repetition of blow but there is specific allegation that the petitioner gave Cricket bat blow on the back side of the head which proved fatal causing death of Bhajan Paswan.

Having considered the facts aforesaid, I am not inclined to grant privilege of anticipatory bail to the petitioner in connection with S. Kamal P.S. Case No. 217 of 2011 pending in the court of the learned Chief Judicial Magistrate, Begusarai. This application is, accordingly, rejected.

(Prabhat Kumar Jha, J)

Amin/-

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