

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31153 of 2014

Arising Out of PS.Case No. -113 Year- 2012 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

1. Sanjeev Paswan @ Sanjeev Prasad Paswan Son of Shiv Prasad Paswan
2. Shiv Prasad Paswan Son of Late Nandan Paswan Both are resident of village- Bhairampur, Police Station - Bidupur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.50149 of 2014

Arising Out of PS.Case No. -113 Year- 2012 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

1. Karu Paswan @ Bajrangi Paswan Son of Nathun Paswan @ Nathun Bhagat Resident of Village and Post- Bhairampur, Police Station- Bidupur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.31153 of 2014)

For the Petitioner/s : Mr. Dinesh Maharaj, Advocate.

For the Opposite Party/s : Mr. Md. Ataur Rahman(App)

(In Cr.Misc. No.50149 of 2014)

For the Petitioner/s : Mr. Dinesh Maharaj, Advocate.

For the Opposite Party/s : Mr. H.A. Khan (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 12-01-2015

Heard both sides.

Since both the cases have arisen out of one occurrence, they are being disposed of by this common order.

The petitioners Sanjeev Paswan @ Sanjeev Prasad Paswan, Shiv Prasad Paswan and Karu Paswan @ Bajrangi Paswan seek bail in

Bidupur P.S. Case No. 113 of 2012, registered for the offences punishable under Section 302 and some other Sections of the Indian Penal Code.

The wife Savita Devi alleged that her husband was burnt after pouring kerosene oil on his body. Her husband disclosed the name of the petitioner who set him ablaze.

Shri Shrawan Kumar, the learned Sr. Counsel appearing on behalf of the petitioners submits that the occurrence took place on 27.04.2012 but the fardbeyan was given on 04.05.2012 before the A.S.I. of Pirbahore police station. Even during course of investigation, the mother of the deceased gave different story and disclosed that her son set himself ablaze and died.

It appears that the wife of the deceased has made very specific allegation that the petitioners poured kerosene oil and set him ablaze. Consequently, the husband of the informant received extensive burn injury and non-else victim himself disclosed before the wife that the petitioners poured kerosene oil and set him ablaze.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on bail. Accordingly, the same is rejected.

However, the trial court is directed to conclude the trial within one year from the date of receipt/production of a copy of this order, if the trial is not concluded within one year the petitioners may renew their prayer for bail before the court below.

(Prabhat Kumar Jha, J.)

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