

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22937 of 2015

Arising Out of PS.Case No. -22 Year- 2014 Thana -AMBA District- AURANGABAD

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SIKANDAR PASWAN @ SIKENDRA PASWAN @ SIKENDAR
PASWAN S/o Kamta Paswan @ Kamta Ram resident of village- Baliya,
P.S.- Amba, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Shyam Bihari Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-09-2015

Heard both sides.

The petitioner seeks bail in a case under Section 302
and other sections of the Indian Penal Code.

The father of the deceased Ashok Paswan alleged
that on 02.03.2014, all the named eight accused persons having
armed with different weapons came to his house and while his son
was going to take bath, Sikandar Paswan (the petitioner) assaulted
him with Farsa on his head. It is alleged that all the accused
persons assaulted Ashok Paswan with sticks and Farsa. Thereafter,
Sikandar Paswan assaulted Ashok Paswan with Farsa on his head.
It is submitted that the occurrence took place on 02.03.2014. The
informant stated that he took his son to Sadar Hospital, Kutumba.
On the advice of the doctor, his son was referred to Gaya Sadar
Hospital, from where his son was referred to P.M.C.H. for better

treatment. Seeing the serious condition of his son, the informant admitted his son to the hospital situated at Khemnichak where his son died on 06.03.2014.

It is submitted that the post-mortem report shows only one stitched wound of 3½” over the left parietal region of the head of the deceased and eight persons are said to have assaulted the deceased. Thereafter, the petitioner is alleged to have assaulted the son of the informant with Farsa but no sharp-cut injury was found. The F.I.R. was lodged after 26 days of the occurrence. The informant did not inform the police either at Kutumba or Gaya or Aurangabad or Patna.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in Amba P.S. Case No. 22 of 2014.

(Prabhat Kumar Jha, J)

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