

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51979 of 2015

Arising Out of PS.Case No. -356 Year- 2015 Thana -TEKARI District- GAYA

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1. Gatar Paswan
2. Bijli Paswan Both are sons of Pragas Paswan
3. Disko Kumar
4. Chandan Kumar @ Chandrama Singh Both are sons of Arjun Mahto
5. Nanhe Kumar S/o Kail Mahto
6. Mitranjan Kumar S/o- Sarju Mahto
All are R/o Village- Ram Nagar, P.S.- Tekari, District- Gaya
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 15-12-2015 Heard the Counsel for the petitioners and the Counsel for the informant.

Petitioners are facing accusations punishable under Section 302 and other allied sections of the Indian Penal Code, Section 3(2)(V) of the SC/ST Act and Section 27 of the Arms Act along with another co-accused namely Pankaj Kumar.

While the informant (mother of the deceased) was going on cycle driven by his son, accused persons intercepted and captivated his son. On exhortation of the persons who had intercepted her son, co-accused Pankaj Kumar fired at the deceased.

Contention of the petitioners is that the allegation of having

caused bullet injury to the victim is assigned to co-accused Pankaj Kumar. Petitioners have not assaulted the deceased. They are languishing in custody since 3.9.2015.

Counsel for the informant, having placed the F.I.R., has contended that the petitioners have played active role and co-accused Pankaj Kumar was facilitated by the petitioners to kill the deceased.

Considering the manner in which the occurrence was committed and other materials reflected from the records, I am not inclined to grant privilege of bail to the petitioner. Prayer is rejected. Petitioner is, however, granted liberty to renew his prayer for bail if the trial does not record adequate progress within six months from the date of receipt/production of a copy of this order.

Pankaj/-

(Kishore Kumar Mandal, J)

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