

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25755 of 2015

Arising Out of PS.Case No. -45 Year- 2014 Thana -ANTI District- GAYA

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1. Sanjay Paswan S/o Arjun Paswan resident of village- Raja Bigha , P.S.-
Rafiganj, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Manoj Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 12-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

Petitioner seeks bail in connection with Anti P.S. Case
No. 45 of 2014 registered for the offences punishable under
Section 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

Allegedly Ashok Yadav was driving the truck and
cleaner Anuj Yadav @ Teniya was also with him and as soon as
they reached Rafiganj-Anti main road, three persons on
motorcycle intercepted them and they got down the cleaner and
the petitioner shot Ashok Yadav as a result of which he died on
the spot. The cleaner informed about the said incident to the
informant on mobile, the petitioner was earlier the driver of the

said truck and due to that the deceased was killed.

Submission is of false implication and that due to previous enmity, he has been implicated resulting he is suffering in custody since 07.01.2015. The statement of the informant and of cleaner, namely, Raj Kumar @ Teni is not consistent as is evident from Para-31 of the case diary which is statement recorded under Section 164 of the Code of Criminal Procedure and as such, the petitioner deserves sympathetic consideration to which learned A.P.P. opposes.

Considering that the petitioner is the main assailant and, as such, this Court is not inclined to enlarge the petitioner on bail and accordingly, such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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