

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50714 of 2015

Arising Out of PS.Case No. -69 Year- 2015 Thana -JAMHORA District- AURANGABAD

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Ajay Paswan, Son of Basudeo Paswan, resident of village Balikarna Rigaha,
P.S. Jamhore, District Aurangabad, Bihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 07-12-2015 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Jamhore P.S. Case No.69 of 2015 registered under Sections 144,
386 and 387 of the Indian Penal Code besides Sections 25(1-B)A,
26 and 35 of the Arms Act and Section 17 C.L.A. Act.

The prosecution case is that the police on receiving
secret information about gathering of Naxalites, namely, Bhim
Paswan, Jitendra alias Tiger and others at the house of the co-
accused Rajendra Paswan to commit some crime on the dispute of
water of canal between the villagers reached there and started to
surround the house of the co-accused Rajendra Paswan. In that



course, 8-10 persons started to flee from the house of Rajendra Paswan. While the police succeeded to apprehend three persons, others taking the advantage of dark fled away. On being made query from the apprehended persons, they disclosed their names as Ravindra Paswan, Rajendra Paswan and Jaitul Ram and on search, one loaded country made carbine, three mobile set and two live cartridges were recovered from their possessions. Rajendra Paswan also disclosed that on his call, the Naxalites, Bhim Paswan, Sahdeo Paswan, Jitendra alias Tiger, Ajay Paswan (petitioner), Jaitul Ram and 3-4 others had come to his house to settle the dispute of water of canal between the villagers and him.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the name of the petitioner has been disclosed by the co-accused Rajendra Paswan to the police and except that, there is nothing against him. It is further submitted that, in fact, there was dispute in between the petitioner and the co-accused Rajendra Paswan with regard to irrigate the crops with the canal water and due to that reason, the petitioner has been named by the co-accused Rajendra Paswan. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or

surrender within four weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Jamhore P.S. Case No.69 of 2015, subject to the conditions laid down under Section 438(2) Cr. P.C. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner.

(Rajendra Kumar Mishra, J)

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