

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2034 of 2016

Arising Out of PS.Case No. -314 Year- 2015 Thana -KUSHESHWARSTHAN District-
DARBHANGA

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Rajwansi Kumar, Son of Shiv Shankar Mahto, Resident of village -
Rajakpur, P.S. Nawkothi, District – Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Abhay Kumar Singh

For the Opposite Party : Mr. R.N.Jha(App)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 09-03-2016

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with
Kusheshwar Asthan P.S. Case No. 314 of 2015, registered under
Section 302/34 of the Indian Penal Code and Section 3(2)(v) of
SC/ST Act and Section 27 of the Arms Act.

The allegation of informant Ramprayas Paswan is
that his younger son Sajjan Paswan was doing work of helper of
JCB at the brick-kiln of Janardhan Prasad Singh, which was
being driven by the petitioner Rajwanshi Kumar and he also
used to live there in a hut with one Rameshwar Paswan. In the
morning of 21.11.2015, the informant received information from
his villager Ajay Paswan regarding murder of his son, then he
went to the brick-kiln and found dead body of his son, who

sustained fire arm injury on his head. Thereafter, he made query with the Chowkidar as well as this petitioner, but they could not give any reply.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the case diary that there is no eye-witness of the occurrence. The petitioner has been falsely implicated in this case as the petitioner was the driver of the JCB to which the deceased was also working as helper. It is further submitted that informant himself filed an application before the Court of SDJM, Biraul to the effect that he had not disclosed the name of any person as accused in his fardbeyan. Further submission is that petitioner has no criminal antecedent and he is in custody since 25.11.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Biraul in connection with Kusheshwar Asthan P.S. Case No. 314 of 2015.

(Rajendra Kumar Mishra, J)

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