

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5926 of 2016

Arising Out of PS.Case No. -43 Year- 2015 Thana -SALKHUA District- SAHARSA

Suresh Paswan, Son of Late Kiro Paswan, Resident of Village - Mohanpur,
P.S. - Salkhua (Banma Ithari O.P.), District - Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Pramod Mishra, Advocate.

For the Opposite Party : Mr. Nagendra Prasad (App)

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

3 07-04-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Sessions
Trial No. 276 of 2015, arising out of Salkhua P.S. Case No. 43 of
2015 registered for the offences punishable under Sections 147,
148, 149, 341, 323, 324, 325, 326, 307, 302, 504 and 506 of the
Indian Penal Code.

Allegedly the petitioner after proclaiming to kill the
wife of the informant pierced Kachiya in her mouth and co-
accused Baua Paswan assaulted with spade on her head resulting
she became unconscious and fell down and later on when she was
being brought to Saharsa she died in the way.

Submission is of false implication and that the doctor

who conducted post-mortem has found injury caused by hard and blunt substance, some of co-accused have been allowed bail and the petitioner is suffering in custody since 17.10.2015 to which the learned APP seriously opposes by submitting that in inquest report mouth injury was found and witnesses vide para 8, 9 and 10 have also supported the allegation. Prayer of bail of Baua Paswan has already been rejected by another coordinate Bench of this Court.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner is serious in nature, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 276 of 2015, arising out of Salkhua P.S. Case No. 43 of 2015, pending in the court of the learned Additional Sessions Judge-04th, Saharsa. Accordingly, such prayer for bail stands rejected.

(Jitendra Mohan Sharma, J.)

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