

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12869 of 2016

Arising Out of PS.Case No. -92 Year- 2015 Thana -GAYA MUFFSIL District- GAYA

- =====
1. Ram Brich Paswan Son of Late Bisheshwar Paswan
2. Ajay Paswan Son of Madan Paswan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramashish

For the Opposite Party/s : Mr. Rajendra Singh Shastri Jee (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 31-03-2016 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered for the

offences punishable under Section 302/34 of the Indian Penal

Code.

The prosecution case hinges upon so-called dying

declaration of the deceased and it is alleged that when deceased

was found lying in injured condition, the deceased disclosed the

name of petitioners and others as his assailants.

Learned counsel for the petitioners submits that co-

accused, Binay Paswan and three others, having similar allegation,

have already been granted privilege of bail by this court vide order

dated 05.11.2015 and while granting bail to the aforesaid co-

accused persons, this court observed in order dated 05.11.2015 passed in Cr. Misc. No. 37675 of 2015 that there was nothing to show that deceased was in condition to make his statement before the informant.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No. 92 of 2015.

(Hemant Kumar Srivastava, J)

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