

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8067 of 2016

Arising Out of PS.Case No. -274 Year- 2015 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

- =====
1. Mahendra Paswan S/o Late Deoki Paswan
 2. Pampam Paswan S/o Mahendra Paswan Both residents of Village - Kailitand, P.S. - Bhagwanpur, District - Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Satya Prakash Sinha, Advocate.

For the Opposite Party : Mr. Bhanu Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-06-2016 Heard learned counsel for the petitioners, learned APP as well as learned counsel for the informant.

The petitioners apprehend their arrest in Bhagwanpur P.S. Case No. 274 of 2015, registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

The petitioners and others are alleged to have assaulted the father of the informant with Lathi and hard and blunt objects.

Learned counsel for the petitioners submitted that the informant is not an eye witness of the occurrence. Only head injury was found which caused death of father of the informant. It is further submitted that even in course of investigation in para 50

and onwards witnesses have stated that the deceased was going on cycle and he fell down, consequently he died. But it appears that the informant had very categorically stated that the petitioners and others have brutally assaulted the father of the informant with hard and blunt objects and consequently the deceased died due to head injury.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above named in Bhagwanpur P.S. Case No. 274 of 2015 on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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