

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26419 of 2016

Arising Out of PS.Case No. -12 Year- 2015 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

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Bahadur Paswan @ Lal Bahadur Ram Paswan, Son of late Raghu Paswan,
aged about 52 years, Resident of Village - Tirojpur, P.S. - Durgawati, Distt.
- Kaimur (Bhabhua).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rajeev Kumar, Advocate.

For the Opposite Party/s : Mr. Sucheta Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 20-08-2016

Heard both sides.

The petitioner apprehends his arrest in Durgawati
P.S. Case No. 12/2015 registered under Sections 302/34 of the
Indian Penal Code and Section 27 of the Arms Act.

The informant, widow of the deceased, alleged that
while she was at her parents' house, she got information that her
husband was shot dead. The informant came to the place of
occurrence and found the dead body of her husband embedded
with bullets on his forehead and jaw. The informant further
alleged that she suspects that Bahadur Paswan, who had
threatened her husband to kill about 10 days ago, might have
killed her husband as her husband had taken Rs. 50,000/- from
Bahadur Paswan for executing a sale deed.

It is submitted by the learned counsel for the petitioner that there is no eye witness of the occurrence. During the course of investigation, the informant and the relatives of the deceased simply suspected that the petitioner might have killed the husband of the informant but there is no eye witness of the occurrence nor any circumstantial evidence is collected during the course of investigation.

Considering the facts aforesaid that except suspicion, there appears no material in the entire case diary, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur (Bhabhua) in Durgawati P.S. Case No. 12/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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