

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31853 of 2016

Arising Out of PS.Case No. -31 Year- 2007 Thana -PAUTHU District- AURANGABAD

1. Kapil Paswan Son of late Dukhan Paswan Resident of Village- Itwan Tola, Azad Bigha Police Station Pauthu, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 19-08-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Section 302 and other allied sections of the Indian Penal Code and Section 27 of the Arms Act.

It is a case of double murder and petitioner is very much named in the first information report with allegation that he along with F.I.R. named accused forcibly took away the deceased persons whose dead bodies were later on recovered.

Learned counsel for the petitioner points out that co-accused, Ravindra Paswan and Ravi Pandey, having similar allegation, have already been granted privilege of bail by a co-ordinate Bench of this Court but I am not, at all, convinced with

the aforesaid submission because admittedly, the alleged occurrence took place in the year 2007 and petitioner evaded his arrest till 31.03.2016 when he could be remanded in this case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Sessions Trial No. 317 D of 2009/23 of 2016 arising out of Pauthu P.S. Case No. 31 of 2007 pending in the court of 1st Additional Sessions Judge, Aurangabad stands rejected.

(Hemant Kumar Srivastava, J)

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