

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31484 of 2016

Arising Out of PS.Case No. -25 Year- 2016 Thana -MOKAMAH District- PATNA

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Shambhu Paswan @ Shambhu @ Samrat Paswan @ Samaratwa, S/o Late
Lagan Paswan, R/o Village- Mekra Dih, P.S Mokama, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arjun Prasad, Advocate

For the Opposite Party : Mr. Anand Mohan Prasad Mehta (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 15-09-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Mokama
P.S Case No. 25 of 2016 registered for the offences punishable
under Sections 341, 506, 302, 201, 120B of the Indian Penal Code
and section 27 of Arms Act.

Allegedly, the petitioner and other two accused
Nawal Rai @ Burhai and Manoj Rai, caught Lakar Rai, the son of
the informant and to compromise their earlier case, they were
abusing and further after tieing his hands boarded him in a boat
and took away in the river Ganga and thereafter, fire was shot and
after killing Lakar Rai, they threw the dead body in the river
Ganga.

Submission is of false implication and that the petitioner has got no concern with the alleged occurrence, earlier the case was lodged against Nawal Rai @ Burhai, the petitioner has been made victim of the circumstances, there is no legal and cogent material against him, without any basis he is suffering in custody since 25.02.2016 and, as such he deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that there is specific allegation against the petitioner also for taking away the deceased and thereafter by killing him threw the dead body in the river Ganga and, as such, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected pending in the Court of Sri Deepak Kumar J.M. 1st Class, Barh, Patna, in connection with Mokama P.S. Case No. 25 of 2016.

(Jitendra Mohan Sharma, J.)

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