

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45718 of 2015

Arising Out of PS.Case No. -76 Year- 2015 Thana -GOPALPUR District- BHAGALPUR
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1. Rajesh Paswan Son of Manilal Paswan
2. Chhotu @ Matbal Paswan Son of Dev Narayan Paswan
3. Kongress Paswan Son of Late Laxmi Paswan
4. Pappu Paswan Son of Jai Kishun Paswan
All resident of village - Bindtoli, P.S. Gopalpur, District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pandey
For the Opposite Party/s : Mr. Satyavrat Verma(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 27-04-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in connection
with Gopalpur P.S. Case No. 76 of 2015 registered for the
offences punishable under Sections 120B, 302/34 of the Indian
Penal Code and Section 27 of the Arms Act.

Earlier case diary of the present case was called for,
which has since been received.

Learned counsel for the petitioners submits that though
it has come on record that while petitioners were drinking wine
and playing cards at the Bandh, there was sound of a gun shot and
the son of the informant was found dead, the body of the son of

the informant was recovered after two days. It is further submitted that save and except, last seen, there is no other cogent materials on record to implicate the petitioner in the present case.

Learned counsel for the State, after perusal of several paragraphs of the case diary, submits that these petitioners had, in fact, gone with the deceased and thereafter, he was shot dead. It is further submitted that save and except last seen, there is no further material in the case diary to implicate the petitioners in the present case.

Considering the aforesaid submissions and the fact that there is no eye witness to the occurrence and also, that petitioners have got no criminal antecedents, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is/are directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M., Naugachiya, Bhagalpur in connection with Gopalpur P.S. Case No. 76 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

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