

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50229 of 2015

Arising Out of PS.Case No. -137 Year- 2014 Thana -FATUHA District- PATNA

1. Dipu Paswan
2. Dipak Paswan, Both sons of Ganga Paswan, Resident of Chhoti Ranipur,
P.S. - Fatwah, District- Patna

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Shyamal Prakash, Advocate.

For the Opposite Party : Mr. Atul Chandra(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 05-10-2016 Heard both sides.

The petitioners apprehend their arrest in Fatwah P.S.
Case No. 137 of 2014 registered for the offences punishable under
Sections 307, 302, 147, 148, 149, 326 and other Sections of the
Indian Penal Code, under Section 27 of the Arms Act and under
Sections 3/4 provisions of the Witch Craft Act.

The informant alleged that on 28.04.2014 at about
12:00 in the night, the informant, his brother and other family
members were sleeping on the roof of the house, all of a sudden
the petitioners and other accused persons having armed with
different weapons scaled over the roof of the house of the
informant and made indiscriminate firing causing firearm injury to
the brother, sister-in-law and other family members of the

informant. The accused persons dragged away mother of the informant. Later on, during course of search the dead body of mother of the informant was recovered. The dead body was ridden with bullet injury and the neck of mother of the informant was also slit.

Learned counsel for the petitioner submits that the petitioners are, of course, named in the FIR but no specific allegation is made against the petitioners. The petitioners have falsely been implicated in the case, only because the petitioners are sons of the main accused Ganga Paswan, but from perusal of the FIR itself, it appears that all the accused persons are alleged to have made indiscriminate firing causing firearm injury to Subhash Paswan, the brother of the informant his wife and son. The mother of the informant was dragged and, thereafter her dead body was found ridden with firearm injuries and her neck was also slit.

Considering the nature of allegations made against the petitioners, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--