

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42511 of 2016

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1. Anish Paswan, S/o Umesh Paswan
2. Umesh Paswan, S/o Kailash Paswan, both r/o Vill- Muksudpur, P.S.-
Mahua, District- Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 22-11-2016 Heard learned counsel for the petitioners, learned
counsel for the informant as well as learned Additional Public
Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Mahua P.S. Case No. 220 of 2016 registered for the offences
punishable under Section 302 and other allied sections of the
Indian Penal Code.

Petitioners are named in the first information report
and there is allegation that they also participated in the alleged
crime.

Learned counsel for the petitioners submits that in
course of investigation, almost all the witnesses stated that work
of centering was going on and deceased pulled the centering as a

result of which he met an accident and got injury on his head. It is further submitted that as a matter of fact, deceased died of aforesaid injuries but the informant taking advantage of the aforesaid accident lodged the present case against the petitioners and several other persons.

Regard being had to the facts and circumstances of the case as well as submissions of the parties, I am not inclined to extend the privilege of anticipatory bail to petitioners and accordingly, their prayer for anticipatory bail in connection with Mahua P.S. Case No. 220 of 2016 pending in the court of Chief Judicial Magistrate, Vaishali at Hajipur stands rejected.

However, it is made clear that this order shall not cause any prejudice to the competent court while considering the regular bail application of the petitioners.

(Hemant Kumar Srivastava, J)

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