

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6495 of 2016

Arising Out of PS.Case No. -38 Year- 2002 Thana -CHAKAI District- JAMUI

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1. Khiro Paswan @ Naresh Paswan S/o Late Puran Paswan, R/o Vill.-
Fatehpur, P.S.- Chakai, District- Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amar Prakash

For the Opposite Party/s : Mr. Md. Arif(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 20-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Chakai
P.S. Case No. 38 of 2002 registered for the offences punishable
under Sections 341, 323, 324, 307, 302/34 of the Indian Penal
Code.

Allegedly, the petitioner and other co-accused with an
intention to kill Md. Hussain Ansari, the brother of the informant,
assaulted him with *Tangi* and during treatment the brother of the
informant died.

Submission is of false implication and that the
informant is not the eye witness of the occurrence, only on
suspicion the petitioner has been implicated, during investigation

it has come that the deceased used to misbehave with women at the time of cutting wood resulting extremists have killed him and, as such, the petitioner suffering in custody since 05.11.2015 deserves sympathetic consideration to which the learned A.P.P. opposes by submitting that witness Sanju Marandi vide para 22 of the case diary has stated that the petitioner assaulted the deceased with *Tangi* resulting Hussain Ansari died and further witness Sadik Ansari has also supported the same vide para 21 of the case diary.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner serious in nature, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Chakai P.S. Case No. 38 of 2002 pending in the court of Sri. Lalan Kumar, learned J.M. 1st Class, Jamui.

However, considering the detention of the petitioner, let the trial be started and concluded preferably within nine months.

(Jitendra Mohan Sharma, J)

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