

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52319 of 2015

Arising Out of PS.Case No. -75 Year- 2015 Thana -RAFIGANJ District- AURANGABAD

- =====
1. Arunjay Paswan
 2. Mahavir Paswan @ Mahabir Paswan Both sons of late Bharat Paswan
Resident of Village-Katharua, P.s Aurangabad town, District
Aurangabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Pramendra Kumar Singh, Advocate

For the Opposite Party : Mr. Aditya Narayan Singh – 1 APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-02-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Raffiganj P.S. Case No. 75 of 2015 pending in the Court of CJM, Aurangabad for the offences instituted under Sections 302, 364 and 201/34 of the Indian Penal Code.

The prosecution case that on 07.05.2015, the informant gone to Civil Court Aurangabad where his son Arvind Paswan met him at 10.00 A.M. and from there he went in the evening at 6.00 P.M. Arvind Paswan made a talk on his mobile that all the accused persons including petitioner caught the informant and the informant hearing hulla-gulla on the mobile and the son of the



informant told to the informant that he should come and rescue him. Thereafter, the informant proceeded in search of his son and tried to make contact on the mobile of his son but the mobile of his son shows switch off and on 08.05.2015 in the morning the informant came to know that his son Arvind Paswan has been murdered and his dead body has been thrown in a canal towards village and on information the informant went there and found the dead body of his son who has been killed by cutting sharp cutting weapon.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. Petitioners have been made accused due to mistake of fact. There is no specific allegation against the petitioners nor there is any circumstantial evidence to suggest their implication in the present case. The other co-accused, namely, Lohar Paswan @ Sohar Paswan has already been granted bail by this Court vide Cr.Misc.No.47307 of 2015.

On behalf of the State, it has been submitted that the petitioners are named in the FIR and they have actively participated in the present case.

Considering the aforesaid facts and circumstances of the case, I am not inclined to release the above named petitioners on anticipatory bail, the same is rejected.

Anyhow, if the petitioners surrender in the court below within a period of four weeks, the same shall be considered on its own merit without being prejudiced by this order taking into account that the other co-accused has already been granted regular bail by this Court.

(Sudhir Singh, J)

B.Kr./-

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