

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54033 of 2016

Arising Out of PS.Case No. -395 Year- 2014 Thana -BARACHATTI District- GAYA

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Pankaj Paswan @ Pankaj Kumar Paswan, Resident of Village- Kendua,
P.S.- Mohanpur, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha

For the Opposite Party/s : Mr. Yogendra Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 10-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with
Barachatti P.S. Case No. 395 of 2014 registered under sections
302 and 201/34 of the I.P.C. pending in the Court of Judicial
Magistrate, First Class, Sherghaty (Gaya).

Submission is that petitioner is not named in the
F.I.R. and no overt act has been alleged against the petitioner. He
has been made accused in this case only on suspicion.

Learned A.P.P. appearing on behalf of the State
opposed the prayer of the petitioner with submission that there is
direct allegation of demand and torture against the petitioner and
his family members. The witnesses have also stated about his



involvement in several paragraphs in the alleged occurrence.

Postmortem Report also supports the allegation.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to allow the prayer of the petitioner for bail. Accordingly, this application is rejected.

(Arvind Srivastava, J)

Shailendra/-

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