

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50520 of 2016

Arising Out of PS.Case No. - 384 Year - 2015 Thana - GHORASAHAN District - EAST
CHAMPARAN (MOTIHARI)

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Arun Paswan, Son of Late Achhelal Paswan, Resident of Village - Murtiya,
P.S. - Adapur, District - East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Iftekhar Mahmood, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 27-02-2017

Heard learned counsel for the parties.

The petitioner seeks bail in a case registered under
Sections 341, 342, 323, 307, 328, 498A/34 of the Indian Penal
Code. Later on, Section 302 I.P.C. was also added.

Learned counsel for the petitioner submitted that the
informant has alleged that the petitioner, who is the husband of the
informant, gave knife blows in and around her neck. The
informant succumbed to the injuries in course of treatment. The
petitioner is innocent and has been falsely implicated in the case
due to property dispute. It is further submitted that the F.I.R. has
been lodged after 12 days of the occurrence. Delay in lodging of
the F.I.R. itself falsifies the prosecution case. The petitioner is in
jail since 31.12.2015.

Learned A.P.P. has vehemently opposed the prayer



for bail and submitted that the victim has specifically stated in para 3 of the supplementary case diary that the petitioner gave knife blow on her neck and near her eyes. Other witnesses have also stated the version of the victim in different paragraphs of the case diary. The injury report also corroborates the injuries sustained by the victim.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail in S. Tr. No. 325/16, arising out of Ghorasahan P.S. Case No. 384/2015. Accordingly, the prayer for bail is rejected.

(Arvind Srivastava, J)

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