

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52659 of 2016

Arising Out of PS.Case No. -128 Year- 2016 Thana -SHERGHATI District- GAYA

- =====
1. Bahadur Paswan, S/o Late Basudeo Paswan,
 2. Sanjay Paswan, S/o Late Basudeo Paswan, both are resident of village - Laxnaiti, P.S. Sherghati, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Rajballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 17-01-2017

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The Petitioners seek bail in Sherghati P.S. Case No.128 of 2016 instituted for the offence under Section(s) 302, 201/34 Indian Penal Code.

It is alleged in the written report that son of the Informant had performed love marriage with Rani Kumari. He had gone to his Sasural with his wife and informed him on 26.03.2016 on mobile that he has been surrounded by Bahadur Paswan, Sanjay Paswan (petitioners) and Dharmendra Paswan to kill him and the Rani Kumari is also assisting her Mama and other family members. The Informant contacted his daughter-in-law on mobile who told that his son has gone somewhere. On the next day, the Informant received telephonic information from the Police Station



that his son has been killed.

Case Diary has been received. The learned APP read out the statement of the witnesses in para 6, 7, 8, 17, 18, 21, 22, 31, 32, wherein, witnesses have raised suspicion. Post Mortem Examination Report has been mentioned in para 36 of the Case Diary, wherein, the doctor has stated that the cause of death is shock, coma & asphyxia as a result of pressure on neck. The doctor has stated that hanging could not be denied.

In this manner, mere suspicion is levelled against the petitioner in the written report. There is no specific overt act alleged against the petitioners.

In the circumstances, let the Petitioners, above named, be released on bail on furnishing bail bond of ₹10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Sherghati, Gaya, in connection with Sherghati P.S. Case No.128 of 2016, subject to the conditions that both the bailors shall be the close relative of the petitioners.

(Sanjay Priya, J)

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