

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10513 of 2017

Arising Out of PS.Case No. -156 Year- 2016 Thana -MADHEPURA District- MADHEPURA

- =====
1. Naresh Paswan, Son of Late Mangen Paswan,
 2. Lalan Paswan, Son of Tarni Paswan, Both Resident of village -
Dudhaila, Police Station - Madhepura, District - Madhepura

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Uday Chand Prasad

For the Opposite Party : Mr. Sri Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 15-03-2017 Heard Mr. Uday Chand Prasad, learned counsel for the
petitioners and learned Addl.P.P.

The petitioners apprehend their arrest in Madheprua Police Station Case No.156 of 2016, registered for the offences punishable under Sections 307 & other Sections of the Indian Penal Code and Section 302 of the Indian Penal Code and later on some Sections were added.

The informant, Sunita Devi alleged that while she was returning along with her husband, Raj Kumar Paswan, all the accused persons surrounded them, having armed in their hands. Amod Paswan caught hold her hand, Santosh Paswan stripped her clothes and Deepak Paswan torn her under-garments and the



informant was made naked. When the husband of the informant came to save her, Naresh Paswan caught her husband on the order of Tarni Paswan and Dayanand Paswan assaulted on the head of the husband of the informant and her husband fell down on the ground.

Learned counsel for the petitioner submits that there is no specific allegation of assault against the petitioner no.2. Petitioner no.1 is Naresh Paswan , who is alleged to have caught the husband of the informant but he did not assault on the deceased. From perusal of the F.I.R. itself, it appears that all the petitioners along with the others assaulted the informant and her husband with intention to kill her husband and the accused persons torn her cloths and made her naked. When the husband of the informant protested, Naresh Paswan caught her husband on the order of Tarni Paswan and Dayanand Paswan assaulted on his head, causing his death.

Considering the allegations as made against the petitioners, I am inclined to enlarge the petitioners on anticipatory bail.

Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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