

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49767 of 2016

Arising Out of PS.Case No. -259 Year- 2014 Thana -DAUDNAGAR District- AURANGABAD
=====

1. Suryabansh Paswan Son of Babu Ram Paswan, Resident of Village-
Sansha Tola, Bhuletan Bigha, P.S.- Daudnagar, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. Smt. Rita Verma
=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 06-03-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is in custody since 21.07.2016 in connection
with Daudnagar P.S. Case No. 259 of 2014 registered under Sections
147, 148, 149, 323, 326, 302, 307, 504 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the
petitioner, who is of clean antecedent, has falsely been implicated in
this case on account of dispute of Rasta. In fact, altogether 12 persons
have been named in the F.I.R. and there is allegation of assault by
sword on the head of the father of the informant against the petitioner
but no any sharp cut or sword injury has been found on the person of
the deceased, which is evident from Post Mortem Report, annexure-3.
Moreover some of the accused persons have already been granted bail
by the High Court. The petitioner is in custody for the last seven



months.

Learned A.P.P. for the State has opposed the prayer for bail and submitted that there is direction allegation of assault by means of sword on the head of the deceased against the petitioner, resultantly, the deceased died.

Considering the facts and circumstances of the cae and the nature of accusation, this Court is not inclined to grant bail to this petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

(Arvind Srivastava, J)

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