

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34043 of 2017

Arising Out of PS.Case No. -490 Year- 2015 Thana -BARACHATTI District- GAYA

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1. Rajendra Paswan, S/o- Late Janki Paswan
2. Jitendra Paswan @ Jitu Paswan, S/o- Rajendra Paswan
Both residents of village Dhangain, P.s.- Barachatti, District- Gaya.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neerad Parashar

For the Opposite Party/s : Mr. M. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 20-07-2017 Heard the Counsel for the petitioners and Mr. Dayal,

APP for the State.

The two petitioners are father and son. They are named
accused of Barachatti P.S. Case No. 490 of 2015 registered under
Sections 302, 34 of the Indian Penal Code, Section 27 of the Arms
Act and Section 17 of the C.L.A. Act.

The allegation, in substance, is that when the son of the
informant was going to call labourers, he was intercepted and
assaulted. On hearing the sound of three rounds of firing, when the
informant went to the place, he could see the petitioners and other
co-accused who told him about the brutal killing of his son. The
motive has also been alleged.

Counsel for the petitioners submits that merely on hear
say, the F.I.R. has been lodged by the informant. Some other co-



accused of the present case have been granted privilege of regular bail. The informant subsequently filed an application in the Court about the incorrect/wrong implication of the petitioners.

Mr. Dayal opposed the prayer.

On perusal of the impugned order, it appears that in course of investigation, several witnesses have supported the prosecution case which incriminates the petitioners in the crime.

Considering the severity of the allegation and the other materials reflected from the record, this Court is not satisfied that a case for grant of anticipatory bail is made out to the petitioners. Prayer is rejected.

(Kishore Kumar Mandal, J)

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