

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57053 of 2017

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

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1. Jitendra Paswan @ Jitu Paswan, S/o Rajendra Paswan resident of
Village- Dhangain, Police Station: Barachatti, District- Gaya.

.... Petitioner/s

Versus

1. 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. Sri Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-12-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Barachatti
P.S. Case No. 490/2015 dated 08.11.2015 instituted for the
offences under Sections 302 and 34 of the Indian Penal Code,
Section 27 of the Arms Act and Section 17 of the Criminal Law
Amendment Act, 2013.

The son of the informant was killed at the hands of the
members of M.C.C., a banned outfit, for the suspicion that the
deceased acted as spy of the police.

It has been submitted on behalf of the petitioner that
other accused persons, who are similarly situated, have been
granted bail by different Benches of this Court. The name of the
petitioner was communicated to the informant by his daughter-in-



law, who has stated in a general fashion that many accused persons including the petitioner, after killing the deceased, fled away from the place of occurrence. Further, it has been submitted that though the petitioner has been named in the F.I.R., but nothing specific is alleged against him. He is named in the F.I.R. because of village enmity.

The petitioner is in custody since 21.08.2017.

Regard being had to the fact that other accused persons, who are similarly situated, have been granted bail and that nothing specific has been alleged against the petitioner, this Court is inclined to grant bail to him.

The petitioner above named is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sherghati in connection with Barachatti P.S. Case No. 490/2015.

(Ashutosh Kumar, J.)

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