

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46707 of 2017

Arising Out of PS.Case No. -52 Year- 2017 Thana -KOCHAS District- SASARAM (ROHTAS)

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1. Bikrama Paswan
2. Mahendra Paswan, Both Sons of Tengari Paswan Resident of Village &
P.S. Kochas, District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 21-11-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in judicial custody since
19.05.2017 and 24.06.2017 in connection with Kochas P.S. Case
No. 52 of 2017 for offences punishable under Sections 302, 201,
120(B) of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that her husband, being a truck driver, while taking the truck
loaded with goods, the petitioners along with one co-accused
intercepted and took away the informant's husband and killed him
by assaulting and his dead body was taken away to another place.

It has been submitted by the learned counsel for the
petitioners that they are innocent, bear no criminal history. He



submits that allegations are general and omnibus against all the accused persons and that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioners.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioners along with one another co-accused have killed the informant's husband by means of iron rod.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioners and accordingly, their prayer for bail stands rejected in connection with Kochas P.S. Case No. 52 of 2017 pending before learned Additional Chief Judicial Magistrate-I, Rohtas at Sasaram.

However, the petitioners will co-operate in the disposal of the trial and once the charge has been framed, the learned court below will release the petitioners on bail on its own satisfaction.

(Nilu Agrawal, J)

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