

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11030 of 2017

Arising Out of PS.Case No. -361 Year- 2012 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

- =====
1. Yogendra Paswan S/o - Late Hira Paswan r/o Village - Madapur, P.S. - Sadar, District - Muzaffarpur.
 2. Sambhu Paswan S/o Yogendra Paswan r/o Village - Madapur, P.S. - Sadar, District - Muzaffarpur.
 3. Subodh Paswan S/o Yogendra Paswan r/o Village - Madapur, P.S. - Sadar, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani

For the Opposite Party/s : Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 21-06-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Muzaffarpur Sadar P.S. Case No. 361 of 2012 for the offences punishable under sections 302 and 120 B of the I.P.C.

Allegedly, Ram Ekbal Rai @ Laddu, the son of the informant, was taken away by co-accused Md. Naseem to eat and drink at the house of Samundri Devi and there the petitioners were present and they were pressurizing to pay the money and thereafter they killed Ram Ekbal Rai @ Laddu and kept the dead body on the cot of petitioner Yogendra Paswan. Ashok Rai, Pawan



Kumar and Radhey Krishna Rai and other villagers have seen the occurrence.

Submission is of false implication and that the petitioners have not brought the deceased, during investigation independent witnesses, namely, Bisundeo Mahto, Jaglal Ram, Shail Devi, Jaleshwari Devi and Reena Devi, vide paragraphs- 53 to 57 have not stated the names of the petitioners regarding their involvement in the crime, witness Jaglal Ram, who is none else but the father of the deceased and he has stated that Naseem and Kalam both killed Laddu and as such the petitioners deserve sympathetic consideration.

The learned A.P.P, on the other hand, submits that they are not the eye witnesses rather eye witnesses are Ashok Rai, Pawan Kumar and Radhey Krishna Rai and they have stated regarding hands of the petitioners also.

In the facts and circumstances as stated above, considering the material collected during investigation, I am not inclined to grant privilege of pre-arrest bail to the petitioners and accordingly their such prayer stands rejected in connection with the above mentioned case pending in the court of C.J.M. Muzaffarpur.

(Jitendra Mohan Sharma, J)

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