

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53360 of 2018

Arising Out of PS. Case No.-114 Year-2015 Thana- PARAIYA District- Gaya

Deolal Paswan S/o Late Banshi Paswan , R/o Vill.- Bemta Navadih, P.S.-
Magadh Medical, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramashish

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in connection with Paraiya P.S. case No.114 of 2015 registered under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act, pending in the court of Smt. Shefali Narayan, Judicial Magistrate, 1st class, Gaya.

Prosecution case, in short, is that on 24.10.2015 accused Ranjeet Vishwakarma came to the shop of the informant and purchased two cigarettes and inquired about her husband. He further talked to her husband on mobile and went there. Thereafter her husband came and asked about said Ranjeet Vishwakarma. After some time, two persons came to the room of her husband and fired at him. He was brought to the



Hospital, where he was declared dead.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come on confessional statement of co-accused Raja Yadav and Satendra Yadav. The petitioner has falsely been implicated in the present case. There is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R. The name of the petitioner has come in course of investigation. As per confession of the co-accused, the petitioner is also alleged to be one of the assailants.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

If the petitioner surrenders before the court below and pray for regular bail, same shall be considered on its own merit without being prejudiced by this order.

Narendra/-

(Sudhir Singh, J)

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