

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17849 of 2018

Arising Out of PS.Case No. -654 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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1. Subhash Paswan @ Subhash Kumar Son of Vidyanand Paswan Resident of Village- Lahsanganj, ward no. 1, P.S. Simraha, District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha

For the Opposite Party/s : Mr. Sri Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 06-04-2018

Heard both sides.

The petitioner apprehends his arrest in Forbesganj (Simraha) P.S. case No. 654 of 2017 for the offences punishable under Section 302/34 of the Indian Penal Code.

The informant alleged that petitioner and other accused persons indiscriminately assaulted his brother and his brother died.

The learned counsel for the petitioner submits that during the course of investigation the informant made statement under Section 164 of the Cr. P. C. but did not support the case.

It appears from perusal of the FIR that informant himself is an eye witness of the occurrence and he made specific allegation that petitioner and other accused persons



indiscriminately assaulted his brother killing him on the spot. Anticipatory bail petition of similarly situated accused, Bidyanand Tatma and another, has already been rejected vide order passed in Cr. Misc. No. 59204 of 2017.

Considering the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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