

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19572 of 2019

Arising Out of PS. Case No.-301 Year-2018 Thana- LALGANJ District- Vaishali

=====

MUKESH PASWAN Son of Santlal Paswan Resident of Village - Jafarabad,
P.S.- Lalganj, Dist.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Raja Ram Rai

For the Opposite Party/s : Mr.Syed Ehteshamuddin

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 09-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Section 302 of the Indian Penal Code.

The prosecution alleged in short is that the petitioner
has caused death of his brother by pushing him into the canal.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 13.8.2018 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge-sheet has been
submitted in the present case. The petitioner has falsely been
implicated in the present case. The deceased was mentally ill.
He himself has jumped into the canal and committed suicide.

On behalf of the State, it is submitted that the



petitioner is named in the F.I.R. There are independent witnesses whose statements have been recorded in paragraphs 9 and 35 of the case diary. They have stated that arm of the deceased was tied and he was thrown by the petitioner in the canal. The cause of death is supported by the post-mortem report.

Considering the same, I am not inclined to grant bail to the petitioner in connection with Lalganj P.S. Case No. 301 of 2018. The same is rejected. The Trial Court is directed to conclude the trial at the earliest preferably within nine months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

