

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.180 of 2019**

Arising Out of PS. Case No.-100 Year-2018 Thana- MUFFASIL District- Aurangabad

=====

Santosh Paswan Late Jagmohan Paswan, Vill-Paharma, P.S-Aurangabad  
(Muffasil), District – Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

**ORAL ORDER**

3      15-02-2019                      Heard learned counsel for the petitioner and  
learned APP for the State.

Petitioner seeks bail in a case registered for the  
offence punishable under Sections 147, 148, 149, 323, 307 and  
302 of the Indian Penal Code.

Petitioner is said to have given lathi blow on the  
head of Suryadeo Yadav on the command of Bharat Paswan  
over brawl between two groups in the course of playing cricket  
match. The aforesaid injury proved fatal.

It is submitted by learned counsel for the  
petitioner that no such occurrence as alleged ever took place.



Petitioner has been falsely implicated in the case. There is a case and counter case between the parties. Besides the petitioner, other accused persons also assaulted the deceased by means of garasa and other weapons. Allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has been languishing in custody since 01.04.2018.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that there is direct allegation against the petitioner of assaulting on the head of the deceased which proved fatal and the doctor in his post mortem report has also opined the cause of death as head injury resulting into brain hemorrhage. Hence the petitioner does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within six months from the date of receipt/production of a copy of this order and S.P., Aurangabad is directed to ensure the production of the witnesses in the case on each and every date fixed



without fail.

Let a copy of this order be communicated to S.P.,  
Aurangabad by fax for needful.

**(Prakash Chandra Jaiswal, J)**

mantreshwar/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

