

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 78130 of 2019

Arising Out of PS Case No.-131 Year-2018 Thana- BARUN District- Aurangabad

Sarwan Paswan (Male), aged about 28 years, Son of Ramesh Paswan,
Resident of Village Nabinagar, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the State : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 09-12-2019

Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in Barun PS Case No. 131 of
2018 dated 04.07.2018 instituted under Sections 394, 302, 120B of
the Indian Penal Code and 25 (1-B) (a), 26, 27, 35 of The Arms
Act, 1959.

3. The petitioner is accused of being the mastermind of
the incident, in which the driver of vehicle was shot for the
purpose of looting.

4. Learned counsel for the petitioner submitted that he is
in jail and has falsely been implicated. It was submitted that the
crime was committed by two other persons, who are also co-



accused but there is no role of the petitioner. It was further submitted that the petitioner is in custody since 07.12.2018, in the present case.

5. Learned APP submitted that the petitioner was the mastermind and he had instigated the other two co-accused to commit the crime while still being in jail. It was submitted that the petitioner already has criminal antecedent and is accused under Section 364 of the Indian Penal Code. Learned counsel submitted that the name of the petitioner has come from his own cousin brother and, thus, there cannot be any false implication.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

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