

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 79689 of 2019

Arising Out of PS Case No.-8 Year-2019 Thana- DEEPNAGAR District- Nalanda

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Nagina Paswan (M), aged about 55 years, Son of Saukhi Paswan, Resident of
Village - Maghra, P.S. - Deepnagar, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 16-12-2019

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

2. The petitioner apprehends arrest in connection with
Deepnagar PS Case No. 08 of 2019 dated 02.01.2019 instituted
under Sections 147, 148, 149, 323, 427, 353, 290 and 291 of the
Indian Penal Code.

3. The allegation against the petitioner is of having
raided a police station along with 400-500 unknown persons
armed with *lathi*, *danda*, bamboo stick and of pelting bricks upon
the police party in which two constables received injury and police
vehilce was also damaged.



4. Learned counsel for the petitioner submitted that he has been made accused only on presumption and suspicion. It was submitted that the specific allegation of opening firing on the deceased is against co-accused Ajay Malakar and not the petitioner.

5. Learned APP submitted that the petitioner has been involved earlier also in similar cases due to firearm injury and the mob had also damaged property and the mob in which the petitioner participated resulting in the death of two persons.

6. Having considered 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, for the present.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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