

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10176 of 2020

Arising Out of PS. Case No.-116 Year-2019 Thana- JURAWANPUR District- Vaishali

1. Sakaldeo Paswan, aged about 65 years, Male, Son of Late Kaushlya Paswan
2. Birju Paswan @ Biraj Paswan, aged about 35 years, Male, Son of Sakaldeo Paswan
3. Shivchandra Paswan, aged about 22 years, Male, Son of Sakaldeo Paswan
4. Kari Devi, aged about 63 years, Female, Wife of Sakaldeo Paswan
5. Surji Devi, aged about 33 years, Female, Wife of Birju Paswan @ Biraj Paswan
6. Bunni Devi, aged about 20 years, Female, Wife of Shivchandra Paswan, all resident of Village - Birpur Panchponiya Tola, P.S.- Jurawanpur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Advocate
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-09-2020 Heard the parties through the virtual court proceeding.

The petitioners apprehend their arrest in connection with Jurawanpur P.S. Case No. 116 of 2019 registered for the offences punishable under Sections 147, 148, 149, 341, 302 of the Indian Penal Code.

As per fardbyan of Rambabu Paswan that has been recorded by the police, it has been alleged that on 16.11.2019 at about 6:30 p.m., his brother Bilat Paswan had been assaulted by first, stick and pressing her neck by the accused persons. It has



been further alleged that the dispute occurred over the variety of grass called 'jungle phus'. His son spread this grass for being dried in the sun and son of the Birju Paswan collected all those grass and took it away from his house. When he went to demand the same they all came to his house and murdered his brother and they all fled away.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. They did not cause the death of the brother of the informant. He further submits that the petitioner Birju Paswan and informant's son Jugal Paswan were running 'thela' in a leather factory at Bawantalla, Kolkata due to negligent act of Jugal Paswan he was thrown out of this job by the management of the factory and he got a suspicion in his mind regarding his removal due to this petitioners. Learned counsel for the petitioners further submits that the postmortem report shows that no external or internal injury.

I have perused the record. It is clear that there is specific allegation against all these petitioners who assaulted the brother of the informant and caused his death. In paragraphs 9 and 10 of the case diary, witnesses have supported the case of the prosecution.



Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Accordingly, the prayer for bail of the petitioners in connection with Jurawanpur P.S. Case No.116 of 2019 pending in the court of learned Additional Chief Judicial Magistrate-VIII, Vaishali at Hajipur is hereby rejected. However, the petitioners are directed to surrender before the court below and the learned court below shall dispose of the bail application of the petitioners on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

Nasimul/-

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

