

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71193 of 2019

Arising Out of PS. Case No.-205 Year-2019 Thana- DESARI District- Vaishali

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1. MAINA PASWAN Son of Late Bija Paswan
 2. Mukesh Paswan Son of Maina Paswan
Both above resident of Village - Bajitpur Chakasturi Tola Chakwa, P.S.-
Desari (Sahdai O.P), District - Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachin Kumar

For the Opposite Party/s : Mr.Rajeev Nayan (App 231)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 05-03-2020 Heard both sides.

The petitioners seek bail in Desari(Sahdei O.P.) P.S.
Case No.205 of 2019 registered under Sections 341, 323, 302
and 34 of the Indian Penal Code.

The informant alleged that at about 5 P.M. on
18.06.2019, the children of the family of the informant and the
petitioners quarreled with each other and for that both the
petitioners, Mukesh Paswan and Maina Paswan assaulted the
deceased Ramji Paswan with lathi on his head.

The learned counsel for the petitioners submits that
occurrence took place on 18.06.2019 at about 5 P.M. but on
perusal of para 4 of the case diary, it would appear that at 2.50



P.M., the dead body was sent for post-mortem. It is further submitted that motive of occurrence is not mentioned but from perusal of para 3 of the case diary itself, it appears that inquest report was prepared at 7 P.M. on 18.06.2019. Only thereafter, the dead body was sent for post-mortem. There is a specific allegation that both these petitioners assaulted Ramji Paswan with lathi on his head. The post-mortem report shows injuries on the head of the deceased and bleeding from nose. On account of head injury, Ramji Paswan died.

Considering the aforesaid facts, I am not inclined to enlarge the petitioners on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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