

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.346 of 2020

Arising Out of PS. Case No.-55 Year-2019 Thana- ISLAMPUR District- Nalanda

Ramesh Paswan @ Karu Paswan, aged about 70 years (Male), S/o Late Ram Sarup Paswan Resident of Village- Korawa, P.S.- Islampur, Distt- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 19-03-2020 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking bail in connection with S.Tr. No. 368 of 2019 arising out of Islampur P.S. Case No. 55 of 2019 registered for offences under sections 302/34 of the Indian Penal Code.

As per First Information Report, the Officer In-charge of Hilsa Police Station came to the house of the Informant and saw him the Whats-app message showing that his son has been killed and his body is lying near bridge of Mohanpur. Thereafter, the Informant lodged a criminal case against the unknown persons.

During investigation, it transpired that the wife of the victim had illegal relationship with one Sanjay Chaudhary



and Ramesh Paswan along with other accused persons have committed the murder of the victim. It also appears from the statement of Sanjay Chaudhary that the petitioner was also involved in the said heinous crime as well as the petitioner has made a statement before the police showing his involvement in the commission of crime.

From paragraph no. 51 of the case diary, the petitioner has accepted before the police of his involvement in the crime. He along with Sanjay Chaudhary was arrested and, at their instance, the garments of the victim have been recovered from the possession of the present petitioner. A Mufflar, showing blood stain mark, was also received. From the case diary, it also appears that the mobile was also found near the place of occurrence.

Learned counsel for the petitioner submits that Sanjay Chaudhary has been granted bail by this Court vide order dated 9.8.2019 passed in Cr. Misc. No. 48668 of 2019.

It appears that in the case of Sanjay Chaudhary, learned Judge has not examined the case diary but, on the statement made at Bar, he has been granted bail but, in the present case, the case diary has been received which shows the incriminating material against the petitioner.



Looking to the entire facts and circumstances of the case, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial.

(Shivaji Pandey, J)

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