

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31446 of 2020

Arising Out of PS. Case No.-3 Year-2019 Thana- FULKAHA District- Araria

SANOJ PASWAN S/o Bikru Paswan Resident of Village-Madhura West, P.S.-
Fulkaha, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 11-01-2021 Heard both sides.

The petitioner seeks bail in Fulkaha P.S. case No. 03/2019 registered u/s 302/34 of the IPC and u/s 27 of the Arms Act.

The informant is a police officer. The informant alleged that he got information that daughter-in-law of Bikru Paswan was shot dead in Mathura Uttar Panchayat. The informant and other police officials went there and got information that Kavita Devi, daughter-in-law of Bikru Paswan, was shot dead by her husband, Pankaj Paswan and Sanoj Paswan, the petitioner.

The learned counsel for the petitioner submits that informant is not an eye witness of the occurrence. Nobody has come forward as eye witness of the occurrence. Save and except suspicion, there is no material against the petitioner. The petitioner is brother-in-law of the deceased. Pankaj Paswan, husband of the deceased, has already been granted bail by a coordinate bench of this court vide order dated 26.06.2020



passed in Cr. Misc. No. 76274 of 2019. The mother-in-law of the deceased has also been granted bail vide order passed in Cr. Misc. No. 73382 of 2019 and the case of petitioner stands on better footing. The husband and father-in-law of the deceased have also got criminal antecedent. It is submitted that petitioner being brother-in-law of the deceased is in custody since 27.01.2020 and he has remained in jail for about one year.

Taking into consideration the fact that of course the informant lodged the case against petitioner also but on the basis of hearsay evidence that petitioner and Pankaj Paswan, husband of the deceased, shot dead Kavita Devi but Pankaj Paswan has already been granted bail, the petitioner is brother-in-law of the deceased and he has remained in jail for about one year, the petitioner, above named, is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri Amit Baivab, learned Judicial Magistrate, 1st class, Araria in connection with Fulkaha P.S. case No.03/2019.

(Prabhat Kumar Jha, J)

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