

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52608 of 2021

Arising Out of PS. Case No.-8 Year-2021 Thana- MUNGER MUFFASIL District- Munger

GYAN SHANKAR PASWAN @ MAULA PASWAN Gayan Shankar Paswan
@ Maula, Paswan Resident of Village- Maniyarchak Silha, P.S.- Muffasil,
District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha
For the State : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 13-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Muffasil P.S. Case No. 08 of 2021 registered for the alleged offences under Sections 364, 302, 201 and 120(B) of the Indian Penal Code.

The prosecution case is that the petitioner and other co-accused persons abducted the son of the informant for ransom and murdered him.

Learned counsel for the petitioner submits that the



petitioner has been named by co-accused Rahul Kumar and except for the statement of Rahul Kumar, there is no evidence against this petitioner. There is no recovery at the instance of this petitioner, no role has been assigned the petitioner and even during the investigation, police was not able to find any incriminating evidence against this petitioner and the petitioner is in custody since 10.01.2021.

Learned counsel appearing on behalf of the informant and learned APP for the State opposes the prayer for bail of the petitioner. Learned counsel for the informant submits that the name of the petitioner was mentioned by the co-accused Rahul Kumar before the police and there is complicity of this petitioner in causing death of the informant. Learned counsel further submits that the bail of co-accused Sunny kumar has been rejected by a Coordinate Bench vide order dated 21.03.2022 passed in Cr. Misc. No. 44620 of 2021.

Perused the records.

Having regard to the rival submission and considering the serious nature of allegations against this petitioner and also considering the fact that bail of another co-accused has been rejected by a Coordinate Bench whose case was similarly situated, I am not inclined to enlarge the petitioner on bail at this



stage.

The prayer for bail of the petitioner is rejected.

The learned court below is directed to expedite the trial as already directed by a Coordinate Bench in its order dated 21.03.2022 passed in Cr. Misc. No. 44620 of 2021. If the trial is not concluded within the specified period, the petitioner may renew his prayer for bail, if so advised.

(Arun Kumar Jha, J)

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