

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29248 of 2023

Arising Out of PS. Case No.-10 Year-2021 Thana- MAHUA District- Vaishali

1. FULESHWARI DEVI Wife of Raj Kumar Paswan Resident of village - Mansurpur Milki, Police Station - Mahua, District - Vaishali at Hajipur
2. Jay Shankar Paswan @ Ujala Paswan Son of Raj Kumar Paswan Resident of village - Mansurpur Milki, Police Station - Mahua, District - Vaishali at Hajipur
3. Suman Devi @ Suman Kumari Wife of Jay Shankar Paswan @ Ujala Paswan Resident of village - Mansurpur Milki, Police Station - Mahua, District - Vaishali at Hajipur
4. Shiv Shankar Paswan Son of Raj Kumar Paswan Resident of village - Mansurpur Milki, Police Station - Mahua, District - Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar
For the Opposite Party/s : Mrs.Rita Verma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 18-08-2023 Heard learned counsel for the petitioners, State and informant.

2. The petitioners apprehend their arrest in a case registered for the offence under Section 366(A)/34 of the Indian Penal Code.

3. As per the prosecution case, all the F.I.R. named accused persons including these petitioners kidnapped the minor daughter of the informant and thereafter, committed her murder.

4. It is submitted on behalf of petitioners that petitioners have been falsely implicated in this case. Petitioners



and informant are co-villagers and due to dirty village politics, petitioners have been made accused. Both the victims (daughter of informant namely Aarti and another girl namely Nisha) died due to drowning in the *Chaur*, but unfortunately the incident was given the colour of criminal offence so as to implicate these petitioners and other co-accused persons.

5. However, learned A.P.P. for the State and learned counsel for the informant vehemently opposed the bail petition. Learned counsel for the informant submits that during course of investigation, it has come that after committing gang-rape, both the victims were done to death. The *post-mortem* report goes to show that the eye ball socket of each of the victim had been taken out, teeth were broken and blood was coming out.

6. Considering the nature and gravity of the offence, the prayer for anticipatory bail of petitioners is rejected.

(Prabhat Kumar Singh, J)

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