

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25497 of 2023

Arising Out of PS. Case No.-216 Year-2022 Thana- SINDHIYA District- Samastipur

=====

Durgesh Paswan @ Durgesh Kumar Paswan Son Of Laltun Paswan Resident
Of Village- Phulparas Ps- Phulparas Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sujit Kumar Singh

For the Opposite Party/s : Mr.Raj Ballabh Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-07-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for bail in a case
instituted for the offence under Sections 302/120(B) of the
Indian Penal Code.

3. As per allegation in the FIR, petitioner came to
the house of the informant and taken away his father by
motorcycle to meet with one Saheb Kumar Singh at 8 A.M.
on 27.09.2022. On same day at 3 P.M. informant got
telephonic information by his mother that his father has
been killed.

4. It is submitted by learned counsel for the
petitioner that petitioner has been falsely implicated in this



case due to previous enmity and village politics. Save and except last seen, no consistent evidence has come against the petitioner to suggest the involvement of the petitioner in the present case. No one is the eye witness of the occurrence. FIR was lodged after delay of two days on the basis of suspicion. Moreover, petitioner is a technical employee of Electricity Board. No specific allegation of firing is against the petitioner. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 30.09.2022.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that petitioner took the informant from his house by the motorcycle and petitioner was lastly seen with the deceased and during investigation this fact is supported by witness Rahul Kumar in para 24 and witness Vinod Singh in para 37 of the case diary. Postmortem report corroborates the prosecution story.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his



prayer for bail stands rejected.

7. The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

