

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39400 of 2022**

Arising Out of PS. Case No.-1 Year-2022 Thana- BARAHAT District- Banka

RINTU PASWAN @ RAJKISHOR PASWAN Son of Late Deep Narayan  
Paswan, Resident of Village - Bara Tikar, P.S.- Barahat, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. J. N. Thakur

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

3      11-05-2023                      The learned counsel for the petitioner is directed to  
remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as  
Mr. J. N. Thakur, the learned Additional Public Prosecutor for the  
State.

The petitioner is seeking regular bail in connection with  
Banka (Barahat) P.S. Case No. 01/2022, registered for offence  
punishable under Section 302 of the Indian Penal Code.

The informant of this case is wife of the deceased. She  
has mentioned in her *Fardbeyan* that on 31.12.2021 at about 8:00  
P.M., the petitioner came to her house and called her husband to  
participate in a meat party. Her husband went with the petitioner,  
but he did not return. On the next morning, his dead body was  
found in a pit.

The learned counsel for the petitioner has submitted that



the petitioner is innocent. It is a case of circumstantial evidence and except the theory of last seen, there is nothing against the petitioner.

On the other hand, Mr. J. N. Thakur, the learned APP has opposed the prayer for bail and has submitted that the petitioner called the deceased at the pretext of participating in a meat party and after killing him, he concealed his dead body in a pit.

It appears from perusal of paragraph 40 of the case diary that a mobile set was also recovered with the dead body, which belongs to the petitioner, which shows the complicity of the petitioner in the alleged occurrence.

In my view, the petitioner does not deserve the privileges for bail, which is accordingly rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

**(Nawneet Kumar Pandey, J)**

Mahesh/-

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