

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55532 of 2023

Arising Out of PS. Case No.-61 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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1. Rajesh Paswan @ Rakesh Paswan Son Of Dasarath Paswan Village Dharampura , Ps Nokha , Dist. Rohtas At Present Mohalla Jhugi Jhopri , Ps Kasna , Gautam Nagar , Dist. Greater Noida , Sector 52 , U.P.
 2. Chanda Devi Wife Of Rajesh Paswan @ Rakesh Paswan Village Dharampura , Ps Nokha , Dist. Rohtas At Present Mohalla Jhugi Jhopri , Ps Kasna , Gautam Nagar , Dist Greater Noida , Sector 52 , U.P.
 3. Dasarath Paswan Son Of Raja Paswan R/O Village Dharampura , Ps Nokha , Dist. Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mundrika Paswan Son Of Late Bhikhari Paswan R/O Village Delhuan, Po-Indaur Ps Dinara , Dist. Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rajani Kant Singh
For the Opposite Party/s :	Mrs.Pushpa Sinha. I
	Mr.Nagendra Upadhyay

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-08-2023 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence under Section 365/34 of the Indian Penal Code.

3. It is alleged that on 12.09.2021, when son of the complainant had gone Dinara Market, all the accused persons caught him and took away to Noida and on 15.09.2021, complainant's son informed him that he had been forcibly taken away to Noida. It is further alleged that when complainant and



his wife went to Noida at the house of accused persons, then accused persons denied about any information of his son, but on inquiry, the complainant came to know that his son was murdered by the accused persons and his dead-body was thrown in Yamuna river, however; the dead-body of his son could not be traced out.

4. It is submitted on behalf of petitioners that petitioner no. 1 is *Sarhu* of the complainant, petitioner no. 2 is wife of petitioner no. 1 and petitioner no. 3 is relative of petitioner no.1. The complaint has been lodged after an inordinate delay of three months and there is no plausible explanation of delay. Complainant is not eye-witness to the occurrence and only suspicion has been raised against petitioners, which is evident from the complaint petition. Petitioners have got clean antecedent.

5. Learned A.P.P. for the State and learned counsel for the complainant vehemently opposed the bail petition.

6. Considering the fact that only suspicion has been raised against petitioners, there is delay in lodging the complaint and petitioners have got clean antecedent, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-



bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Bikramganj, District – Rohtas at Sasaram in connection with Complaint Case No. 61 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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