

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60382 of 2023

Arising Out of PS. Case No.-131 Year-2023 Thana- SUPAUL District- Supaul

VINOD PASWAN @ VINOD KUMAR PASWAN S/O YOGENDRA
PASWAN R/O- NAGAR PARISHAD, WARD NO. 26, PS. SUPAUL , DIST.
SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patla Kumari, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 22.02.2023 in connection with Supaul P.S. Case No. 131 of 2023 for the offence punishable under Sections 302, 120B of the IPC lodged on 19.02.2023 by the informant Renu Devi.

3. As per the prosecution story, the informant's sister has alleged that her brother Ajay Kumar Biswas (deceased) was married to Rina Kumari in the year 2010 who subsequently left him and went with a Panjabi to Jamsedhpur. The further allegation is that she remained with him for a year and when the said relationship failed, deceased's brother brought her back to Supaul got her do some business there and left to Surat. In



course of business, the wife of the deceased started moving outside and then had relationship with this petitioner who subsequently started visiting her house. When the informant's brother came to Supaul, he objected to it and restrained this petitioner from entering his house whereafter he threatened to kill him. The further allegation is that when her brother was sitting in the shop a gun fire shot was heard, he was found in pool of blood and subsequently died. Accordingly the FIR.

4. Learned counsel for the petitioner submit that the lady is not an eye witness to the occurrence and as such only on the suspicion, his name has been incorporated. Further, some of the co-accused have been granted bail.

5. Learned APP Mr. Jitendra Kumar Singh submits that a bare perusal of the learned Sessions Judge order would show that the entire conspiracy which finally led to the killing has been incorporated *inasmuch* as this petitioner had assigned role to a accused persons and after the killing, the amount was transferred from his account to the account of the accused. Further, on his confession the mobile and the motorcycle used in the alleged occurrence were also recovered. He as such, submits that the petitioner is the main person, conspirator and he had all the reasons to eliminate the informant's brother and he was in a



relationship with his wife.

6. Taking into account the facts on record, the submission put forward by the parties as also the observation of learned Session Judge, this Court is not inclined to extend him the privilege of bail which is accordingly rejected.

7. In view of the fact that he is custody since 22.02.2023 (as stated in para 12 of the bail petition), the Trial Court is directed to expedite the trial and conclude the same within one year.

(Rajiv Roy, J)

Jagdish/Jyoti/-

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