

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62947 of 2022

Arising Out of PS. Case No.-227 Year-2022 Thana- BIHAR District- Nalanda

SANJEEV PASWAN S/O Ramdhin Paswan R/O-Patlapura, P.S- Manpur,
Distt- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shambhu Narayan Singh
For the Opposite Party/s :	Ms.Pushpa Sinha
For the Informant :	Mr. Sanjay Kumar Panday
	Mr. Amit Kumar Paswan

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

ORAL ORDER

5 19-05-2023 Heard the learned counsel for the petitioner as well

as the learned Additional Public Prosecutor for the State and

also heard the learned counsel for the informant.

The petitioner is seeking regular bail in connection
with Bihar P.S. Case No. 227 of 2022, registered for the
offences punishable under Sections 341, 323, 379, 307/34 and
302 of the Indian Penal Code.

The deceased, who is brother of the informant was an
inmate of Kalyan hostel, Biharsharif. As per allegation, the
petitioner along with co-accused Manish Kumar, Sandeep
Kumar, Suraj Paswan and 4-5 unknown accused persons entered
into that hostel and badly assaulted the brother of the informant



with hockey stick, iron rod, etc., resulting into his death.

The learned counsel for the petitioner has submitted that the FIR was registered under Section 307 and allied section of the IPC, but after death of the deceased, Section 302 of the IPC was added. He has submitted further that the occurrence had taken place on 01.04.2022, but the FIR was lodged on 04.04.2022. He has also submitted that the informant is not an eye-witness.

On the other hand, the learned APP has opposed the prayer for bail and submitted that the witnesses in paragraph nos. 4, 5, 84, 97 and 98 of the case diary have corroborated the entire occurrence. The petitioner had given the vivid description of the entire occurrence in his confessional statement, contained in paragraph no. 84 of the case diary.

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

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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