

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65938 of 2022

Arising Out of PS. Case No.-441 Year-2022 Thana- BIHAR District- Nalanda

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ASHOK PASWAN Son of Late Kishori Paswan Resident of Mohalla- Jhing
Nagar, Bighapar, P.S- Bihar, Dist- Nalanda ... Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Dhirendra Kumar Singh, Advocate
For the Opposite Party : Mr.Uday Pratap Singh, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-03-2023 Heard learned counsel for the petitioner, the State and perused the case diary.

The petitioner apprehends arrest in a case registered for the offence punishable under sections 341, 302/34 of the Indian Penal Code.

As per the prosecution case, informant's sister Sushma Devi was married to brother of this petitioner. His brother wanted to marry another girl which was being opposed by his wife (informant's sister). It is alleged that this petitioner in league with his brother and other family members killed her.

Learned counsel for the petitioner submits that the petitioner is labourer and is living separately since 2016 and has no concern with the victim and her husband. In this regard, a certificate dated 28.7.2022 of Ward Commissioner is contained in Annexure 2 to the bail petition. Even wife of the petitioner had filed informatory petition against brother of her husband and his family members before the Chief Judicial Magistrate, Biharsharif Nalanda vide Informatory petition on.328/2020 dated 14.2.2020 (Annexure 3) regarding behaviour and status of all the family members. Moreover, there is general and omnibus



allegation against the petitioner and no specific overt act has been alleged against him.

Learned counsel for the State opposes the prayer for bail and submits that the petitioner is named in the FIR with specific allegation that he along with other family members killed sister of the informant in a planned conspiracy.

Considering the nature of allegation and materials available against the petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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