

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31831 of 2024

Arising Out of PS. Case No.-565 Year-2023 Thana- NARPATGANJ District- Araria

Mangan Kumar @ Buchchu Paswan @ Bucchu Paswan Son Of Shivcharan Paswan @ Sikchilli Resident Of Village- Chakorba, Ward No. 05, Ps- Narpatganj (BATHNAHA Op), Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi, Advocate
Mr. Dheeraj Kumar, Advocate
For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 07-05-2024 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Narpatganj (Bathnaha O.P) P.S Case No. 565 of 2023 dated 25.09.2023 registered for the offences punishable under Sections 302 and 120B read with 34 of the Indian Penal Code.

3. As per the prosecution case, on 24.09.2023 at about 10:00 AM, the informant's son after taking a meal went outside but did not return till evening. On search, it came to knowledge that the informant's son, the petitioner, Mangan Kumar @ Bachchu and the co-accused Kartik Paswan along with other



boys had gone towards *Pathardeva* for walking. On 25.09.2023 at about 9:30, the informant received the information that a dead body was lying from the saide of the stairs at *Madhya Vidalaya*. When the informant reached there, he found that his son throat was slit and stomach was torn. Further, it came to his knowledge that Mangan Kumar @ Bacchu Paswan had the love with girl belonging to the village and the informant's son forbade to talk to that girl otherwise it would be disclosed to the father of that girl. Thereafter the petitioner and the co-accused Kartik Paswan had abused and threatened the informant's son. The informant claimed that the petitioner and the co-accused Kartik Paswan along with others committed murder of his son.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case on mere suspicion. There is no eye witness of the alleged occurrence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.11.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. As per paragraph 25 of the case diary, blue colour check shirt stained with blood was recovered from the house of the petitioner. It is further



submitted that, as per paragraph 28 of the case diary, the blade by which the offence was committed has been recovered at the instance of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the finding substance in the contention of learned counsel for the State, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Narpatganj (Bathnaha O.P) P.S Case No. 565 of 2023, pending in the court of learned Chief Judicial Magistrate, Araria.

7. Learned court below is directed to conclude the trial of the petitioner at the earliest.

(Chandra Prakash Singh, J)

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