

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81458 of 2024

Arising Out of PS. Case No.-110 Year-2024 Thana- GAIGHAT District- Muzaffarpur

-
1. KHAKHANU PASWAN SON OF NIRAKSHAN PASWAN RESIDENT OF SAKARWARA NUR, P.S.- GAIGHAT, DISTRICT- MUZAFFARPUR, BIHAR.
 2. DILEEP PASWAN SON OF KHAKHANU PASWAN RESIDENT OF SAKARWARA NUR, P.S.- GAIGHAT, DISTRICT- MUZAFFARPUR, BIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 19-02-2025 Heard learned counsel for the petitioners and learned APP for the State. Perused the case diary.

2. The petitioners seek bail in connection with Gaighat P.S. Case No. 110 of 2024 instituted for the offences under Sections 302, 120B/34 of the Indian Penal Code.

3. Prosecution story, in short, is that, on the alleged date and time, the son of the informant was called by co-accused Nisha Kumari to meet as part of conspiracy involving other accused persons including this petitioner. They allegedly killed him and later disposed of his body, which was recovered from a village, namely, Sakarwara.



4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of suspicion. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against these petitioners. No specific overt act is alleged against these petitioners. Learned counsel further submitted that informant is not the eye-witness to the occurrence. It has been submitted on behalf of the petitioners that the petitioner nos. 1 and 2 are in custody since 29.04.2024 and 30.04.2024 respectively and both the petitioners have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned APP referring to paragraph no. 29 of the case diary submitted that petitioner no. 2 has confessed his guilt and has specifically stated that he along with petitioner no. 1 gave dabia blow to the deceased as a result of which he died. Learned APP further submitted that 'dabia' which was used in the commission of the murder of deceased has also been recovered. Learned APP further submitted that post-mortem report also supports the case and the manner in which the occurrence took place. Learned APP, therefore, prays that petitioners may not be released on



bail.

6. Considering the aforesaid facts and circumstances of the case, there being ample material against the petitioners to show their involvement in the commission of murder of the deceased, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

