

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81914 of 2024

Arising Out of PS. Case No.-325 Year-2024 Thana- ALAMGANJ District- Patna

Jitendra Paswan S/o- Basudev Paswan R/o- Pitambra Mandir Colony Ps-
Alamganj Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kritu Verma
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 27-02-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Alamganj P.S. Case No. 325 of 2024 dt: 16.04.2024 registered
for the offence under Section 328, 302 / 34 of the I.P.C.

3. As per the prosecution case lodged by the father of the
deceased Manik Chand Prasad is that on 15.04.2024 in the
morning Jitendra Paswan, Banti Chaudhary, Suman Chaudhary
arrived at the house of the informant and called his son and the
informant's son went along with them. At about 12:45 P.M.
that informant got information that in the premises of Devi
Mandir near Danka Imali canal, Jitendra Paswan (petitioner),
Banti Chaudhary, Suman Chaudhary, Hira and Renu Devi have
administered some poisonous substance resulting in the death of
the informant's son. It has been alleged that Renu Devi had



earlier given threatening to kill his son / Raju Kumar.

4. Learned counsel for the petitioner submits that there is delay of one day in lodging the F.I.R. inasmuch as the occurrence took place on 15.04.2024 whereas the “fardbyan” has been recorded on 16.04.2024 without any plausible explanation. It is further submitted that on the alleged date and time of occurrence the informant’s son / Raju Kumar was physically present in the court of Special Judge, SC & ST (POA) Act where the petitioner- Jitendra Paswan was represented through his lawyer as such it is highly improbable that the petitioner called the informant’s son from his house.

5. On the other hand, learned counsel for the informant and the state vehemently opposed the prayer for anticipatory bail and submits that the petitioner is specifically named in the F.I.R. alleging that he in conspiracy with the other accused persons called the deceased from his home and deceased was administered intoxicant due to which he died. The post - mortem report of the deceased shows that all viscera were congested and the doctor has reserved his opinion regarding the cause of death. The deceased was one of the accused in the F.I.R. lodged by Renu Devi for murder of her husband bearing Alamganj P.S. Case No. 534 of 2021 as such she in conspiracy with other



accused persons including this petitioner- Jitendra Paswan has murdered the informant's son. The two other co-accused persons Banti Chaudhary and Suman Chaudhary are closely related to Renu Devi and they have also been made accused in the present F.I.R.

6. I have heard learned counsel for the parties and have perused the material on record. The petitioner called the informant's son from his home and deceased was last seen along with the petitioner- Jitendra Paswan and subsequently the informant's son was administered some intoxicant and was brought to hospital where he died.

7. Considering the gravity of offence and the severity of punishment, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

(Anil Kumar Sinha, J)

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