

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30929 of 2019

Arising Out of PS. Case No.-66 Year-2017 Thana- GHOSWARI District- Patna

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MUKESH PASWAN @ MUKESH KUMAR S/o Naresh Paswan R/o village-
Ramjanampur, P.S.- Ashtawan, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 05-08-2019 Heard learned counsel for the petitioner, informant
and the learned counsel for the State.

The petitioner seeks bail in Ghoswari P.S. case no. 66
of 2017 instituted for the offence under Sections 302, 120B,
201/34 of the IPC and Section 27 of the Arms Act.

In the written report, it is alleged that brother of
informant had gone along with Ramu Paswan with motorcycle
in order to bring labour but, he did not return till late in the
night. The informant made search of his brother and thereafter
made contact on mobile of his brother which was also found
switched off. In the meantime, one Ranjit Yadav informed him
that he has got information that one dead body was lying on
NH 82 Road. On getting this information, informant reached at
the place of occurrence and recovered the dead body. The



informant raised suspicion that Ramu Paswan and other accused persons as named in the written report might have killed his brother

Case diary has been received, wherein, postmortem report of the deceased is available.

Learned APP, after looking into the case diary, submits that during course of investigation Ramu Paswan has given confessional statement, which is available in para 42 of the case diary, wherein, he has stated that this petitioner made firing from gun on the brother of the informant causing injury in his abdomen. Learned counsel further submits that one another apprehended accused, namely Amit Kumar in para 48 of the case diary has stated that this petitioner fired on the brother of the informant with pistol.

In the postmortem report, doctor has found total seven injuries which include firearm injury and lacerated wound in lower part of abdomen. The injuries found in postmortem report supports the allegation against the petitioner as disclosed by the accused persons in their confessional statement.

Learned counsel for petitioner has submitted that several other co-accused have already been granted bail by co-ordinate Bench of this Court.



This Court finds that there is specific allegation against this petitioner of causing firearm injury to the brother of informant which get supports from the postmortem report as well as confessional statement made by the accused persons in the case diary.

Therefore, this Court is not inclined to grant bail to the petitioner at this stage. The prayer for bail of the petitioner stands rejected.

The petitioner is in custody since 14.12.2018

Trial Court is directed to expedite the trial and make efforts to conclude the same as early as possible preferably within a period of nine months from date of receipt of copy of this order..

(Sanjay Priya, J)

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