

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28130 of 2019

Arising Out of PS. Case No.-348 Year-2018 Thana- HARNAUT District- Nalanda

Adalat Paswan, Son of Late Pyare Paswan, aged about 41 years (Male),
Resident of Village - Poari, P.S.- Harnaut, Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha, Advocate
For the Opposite Party/s : Mrs.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-07-2019 Heard learned counsel for the petitioner, the State
and the informant.

The petitioner apprehends his arrest in connection with Harnaut P.S. Case No. 348 of 2018 registered for the offences punishable under Sections 147, 148, 149, 302 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that it would appear from the F.I.R. that on hearing the sound of firing, the informant reached at Chuharmal Baba Asthan and saw his son Sujit Kuamr in injured condition sustaining firearm injury on his left chest. The people assembled there disclosed the name of eight persons involved in the alleged crime. Thereafter, the informant with the help of his villagers took his son to the Sadar Hospital, Biharsharif for treatment but he died



in the way. In course of investigation, the police got recorded the confessional statement under Section 164 of Cr.P.C. of Shashi Paswan, who confessed his guilt and disclosed the name of the petitioner and stated that the petitioner has fired to the deceased. Later on, the informant in his restatement also raised suspicion about the hand of the petitioner in the alleged crime. In paragraph-64 of the case diary, it is specifically stated that in the confessional statement of co-accused, the petitioner has fired upon the deceased. Hence, it is not a fit case for grant of anticipatory bail.

Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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