

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39323 of 2019

Arising Out of PS. Case No.-267 Year-2017 Thana- PARSABAZAR District- Patna

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BALLAM PASWAN, Son of Jagdish Paswan, Resident of Village- Sakricha,
P.S.-Parsa Bazar, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Kumari Jyoti

For the Opposite Party/s : Mrs. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 21-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Parsa Bazar P.S. Case**
No.267 of 2017 instituted for the offence under Section(s)
302/34 Indian Penal Code and Section 27 of the Arms Act
pending in the Court of the **Additional Sessions Judge, VIII,**
Patna.

It is alleged in the written report that on the date of
occurrence there was DJ Programme in birthday party. In the
programme, this petitioner with co-accused, Subodh Paswan,
was dancing on the stage. It is alleged that this petitioner fired
from country made pistol, which hit in head of son of the
informant, who succumbed to the injury. It is further alleged that
another person also sustained injury due to firing.



Counsel for the petitioner submits that another First Information Report has been lodged vide Parsa Bazar P.S. Case No.263 of 2017 by Munna Ram, father of another deceased. He has stated that Subodh Paswan and Arbind Paswan were dancing. Subodh Paswan fired causing firearm injury to his son, Munna Ram, who subsequently died.

Counsel for the petitioner submits that Parsa Bazar P.S. Case No.263 of 2017 has been instituted prior to instant case. In that First Information Report, there is no allegation against the petitioner.

Learned APP has submitted that instant case has been lodged by father of another deceased. There is specific allegation that this petitioner caused firearm injury to the deceased on account of which he died. It appears that on the date of occurrence two persons have sustained firearm injury. Both of them subsequently died.

Learned APP has submitted that in the case diary all the witnesses have levelled specific allegation against this petitioner of causing firearm injury to son of the informant, who succumbed to the injury.

Therefore, this Court is not inclined to enlarge the petitioner on bail.



Prayer of the petitioner for grant of bail is **rejected at this stage.**

Petitioner is in custody since 28.06.2018.

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

(Sanjay Priya, J)

J. Alam/-

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