

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5357 of 2020

Arising Out of PS. Case No.-523 Year-2014 Thana- BEGUSARAI TOWN District- Begusarai

PAPPU PASWAN Son of Late Yogendra Paswan Resident of Village -
Pokharia, P.S.- Town, District- Begusarai, At present residing at Mohalla -
Alapur Bishar Asthan, P.S.- Fulwariya, District- Begusarai

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Krishna Chandra

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-05-2020 Due to COVID-19 Pandemic, the matter is being taken
up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For Orders'
under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in Begusarai Town P.S. Case No.
523 of 2014 instituted for the offences under Sections 302, 452,
120(B), 34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in short is that the accused persons,
variously armed, came at the roof and fired at her husband due to
which he sustained and later succumbed to the injuries.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 19.11.2018. There is no allegation of



tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. As per F.I.R., the petitioner and one Randhir Mahto along with other accused persons opened fire upon the deceased due to which he succumbed to the injuries. General and omnibus allegation has been made against the petitioner. No specific overt act has been attributed against the petitioner. The petitioner has falsely been implicated due to previous enmity.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The petitioner is one of the assailants who is said to have fired upon the deceased. In the post-mortem report, there are altogether 7 fire arms injuries on the body of the deceased. The post-mortem report corroborates with the allegation made in the F.I.R.

Considering the same, I am not inclined to grant bail to the petitioner. The same is rejected. The Trial Court is directed to take necessary steps to conclude the trial at the earliest preferably within nine months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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