

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8859 of 2020

Arising Out of PS. Case No.-462 Year-2019 Thana- CHANDI District- Nalanda

ANIL KUMAR @ ANIL PASWAN S/o Ram Bhawan Paswan Resident of
Village-Paharpur, P.S.-Baina, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anurag Saurav
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-03-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Chandi P.S. Case No. 462 of 2019 for the offence registered
under Sections 302/34 of the Indian Penal Code and Section
27 of the Arms Act.

The case of the prosecution in brief is that on the alleged
date and time of occurrence while the informant was going
along with her husband on a motorcycle to her sister's place at
village-Ghohari and had reached ahead of Koyal Bigha Gas
Godown, the accused persons had stopped the motorcycle of
her husband and the petitioner had then fired the first shot on
the husband of the petitioner whereafter the other accused
persons had also fired upon the husband of the petitioner



resulting in death of the husband of the informant while he was being taken to the hospital.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and though he is an accused in one other case but he is on bail in the said case.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail and has submitted that the petitioner is the main assailant and there is a direct and specific allegation levelled by the prosecution against the petitioner of having fired the first fatal shot on the husband of the informant whereafter the other accused persons are also stated to have fired gun shots resulting in the death of the husband of the informant while being taken to the hospital, it is thus submitted that the petitioner deserves no sympathy.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties as also taking into account the materials available on the record, this Court finds that the petitioner is alleged to have fired the first gun shot on the husband of the informant, whereafter the other accused persons had also fired gun shots resulting in death of the husband of the informant,



hence considering the gravity of the offence and the seriousness of the charges levelled against the petitioner, I do not deem it fit and proper to admit the petitioner to the privilege of anticipatory bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

