

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19426 of 2021

Arising Out of PS. Case No.-145 Year-2017 Thana- KARPI District- Jehanabad

UPENDRA PASWAN, Son of Bachchu Paswan, Resident of Village -
Bedauli, P.S.- Paliganj, District - Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 27-10-2021 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Upendra Kumar, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Karapi P.S. Case No. 145 of 2017 registered
for the offence punishable under Section 307/34 of the Indian
Penal Code. Later on Section 302 and 120B of the Indian Penal
Code were added. He is in custody since 19.09.2020. The
petitioner has got three criminal antecedents.

As per the prosecution story, while the informant was
present in the office room with Block Education Officer with
other persons. In the meantime, the informant heard sound of



firing then the informant ran towards outside thereafter he heard again two sounds of firing and found the Block Education Officer bleeding from back side of head.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is not named in the F.I.R. and his name has come during investigation. The petitioner has no concern with the alleged place of occurrence and is in custody since 19.09.2020.

Mr. Upendra Kumar, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner. It is submitted that the investigation reveals through the co-accused whose confessional statements have been recorded that this petitioner is one of the shooters.

Having regard to the facts and circumstances of the case, the seriousness of the allegation and the investigation revealing through the co-accused whose confessional statements have been recorded that this petitioner is one of the shooters, the fact that the petitioner was absconding for about three years after the alleged occurrence and then he has got three other criminal antecedents, this Court is not inclined to release the petitioner on bail at this stage. His prayer for bail is, thus,



refused.

Since learned counsel for the petitioner has submitted that all other co-accused have been granted bail by learned coordinate Benches of this Court, this Court would observe that if the trial is not concluded within a period of one year from today for no reason attributable to the petitioner, he may renew his prayer for bail.

Let the trial be expedited. The prosecution must cooperate in conclusion of trial as early as possible preferably within a period of one year from the date of communication of this order.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

