

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39371 of 2021

Arising Out of PS. Case No.-164 Year-2019 Thana- DANAPUR District- Patna

Pinku Jaiswal @ Viswajeet Kumar S/O Late Rajendra Prasad Jaiswal
Resident of Tarkaria Bazar, P.S.- Danapur, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikramdeo Singh Mr.Arvind Kumar Mr. Ram Nath Kumar Mr. Anil Kumar Sinha
For the Informant	:	Mr. Dhananjay Kumar Tiwari
For the Opposite Party/s	:	Mr.Umeshanand(APP)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-11-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Danapur P.S. Case No.
164 of 2019, registered for the offence punishable under
Sections 302, 120B, 34 of the Indian Penal Code and section 27
of the Arms Act.

As per the prosecution case, on 27.02.2019 at about
8.30 hrs, informant's son who was vendor and loading gas on
the Thela, six persons came on two motorcycles, out of them,
three persons were identified as Pinku Jaiswal (petitioner),
Ranjeet Jaiswal and nephew of petitioner, but the informant did



not identify other accused persons. It is alleged that petitioner and co-accused Ranjeet Jaiswal fired upon the son of informant causing firearm injury to him. Thereafter, all the accused persons fled away. During course of treatment, informant's son died.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. Entire allegation is false and concocted. Further submitted that on the alleged date and time of occurrence petitioner was at Ranchi and in support of the same annexed paper which is Annexure-2 to this petition. Petitioner is in custody since 22.12.2020. Chargesheet has already been submitted.

Learned APP however, vehemently opposed the prayer for bail and submitted that petitioner and two co-accused were identified by the informant and petitioner and Ranjeet Jaiswal fired upon the son of informant. The said fact is also supported by co-accused Amit Kumar in his confessional statement during course of investigation.

Considering the facts aforesaid and materials available on record, I am not inclined to enlarge the petitioner above-named on bail.

Accordingly, the prayer for bail of the petitioner is



rejected.

(Prabhat Kumar Singh, J)

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