

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.2188 of 2021**

Arising Out of PS. Case No.-284 Year-2016 Thana- ROSERA District- Samastipur

RAKESH PASWAN son of Late Bahur Pawan @ Bodhan Paswan Resident of
Village- Maranchi, P.S.- Bachhbara, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mirityunjay Kumar, Advocate

For the Opposite Party/s : Ms.Madhuri Lata, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

5 06-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Rosera P.S. Case No. 284 of 2016, S.T. No.
637/2019 registered for the offence under Section 324, 307/34
of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution story, the informant alleged that on
09.11.2016 at about 11:00 P.M. he and his wife were sleeping, in
the meantime a bullet fired from window hit on the right leg of
her wife, he came out of his house and saw that Rakesh Paswan
armed with pistol along with two persons were fleeing.

Learned counsel for the petitioner submits that
petitioner has been falsely implicated in this case due to prior
enmity, there is general and omnibus allegation against the



petitioner and he is in custody in this case since 06.09.2019.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this Court has noticed from the materials placed before this Court that petitioner has been specifically named as one of the persons who was seen fleeing away after firing upon the wife of the informant from the window of the house, the reason for such firing has also been given by the informant in the F.I.R., according to the informant this petitioner was caught with country made pistol and in the said case he stood as a witness and for this reason the petitioner is threatening the informant to kill, the petitioner has got criminal antecedent, considering the nature of allegations and that the charge has already been framed in this case, this Court is not inclined to release the petitioner on bail at this stage.

Prayer for regular bail of the petitioner is, thus, refused.

Let the trial Court proceed with the trial and conclude the same as early as possible preferably within a period of nine months from the date of start of normal functioning of the Court.



If the trial remains unconcluded for no reason attributable to the petitioner, he may renew his prayer for bail.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

