

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7517 of 2021

Arising Out of PS. Case No.-132 Year-2020 Thana- PUNPUN District- Patna

PAWAN KUMAR, Son of Late Bijendra Prasad @ Bijendra Yadav, Resident
of Village - Dhamaul, P.S.- Parsa Bazar, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kr. Thakur, Adv.
	:	Mr.Vaishnavi Singh, Adv.
For the Opposite Party/s	:	Mr.Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 120(B), 34 of the Indian
Penal Code and Section 27 of the Arms Act.

The prosecution case, in brief is that on 27.05.2020 in
the evening, the informant heard the hulla that his son Pintu
Kumar @ Chote, who has gone to take Johnson powder for his
child, was killed by two unknown persons by firing, who had
come to motorcycle and fled away.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the petitioner is not named in the
FIR. On the basis of confessional statement of co-accused, the



petitioner has been made accused in this case. There is no any incriminating articles has been recovered from the conscious possession of the petitioner. On the confessional statement of co-accused, the petitioner was not present at the place of occurrence. The petitioner is in jail custody since 02.06.2020. The petitioner has one criminal antecedent which is mentioned in para 3 of the bail petition Charge sheet has been submitted in this case.

Learned APP for the State vehemently opposed the prayer for bail petition and submits that as per case diary there is specific allegation against the petitioner.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Punpun P.S. Case No. 132/2020 from the Court of learned Judicial Magistrate, Masaurhi.

Accordingly, this application is dismissed.

However, the petitioner is at liberty to renew his prayer for bail after framing of the charge.

(Anjani Kumar Sharan, J)

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