

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15101 of 2022

Arising Out of PS. Case No.-91 Year-2016 Thana- FATEHPUR District- Gaya

MURARI PASWAN S/o Late Baleshwar paswan R/o Village - Nagwan, P.S. -
Fatehpur, District - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Mohammad Sufyan

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 16-08-2022 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a period
of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has preferred this application for grant of
regular bail in a case registered u/s 302 read with 34 of the Indian
Penal Code, 27 of the Arms Act and 3 and 4 of the Explosive
Substances Act.

As per the prosecution case, the petitioner and co-accused
persons reached the brick kiln of the informant and the son-in-law of
the co-accused Vinod Paswan opened fire on the back of the
informant's brother Manoj Yadav and co-accused Vinod Paswan also
threw bomb on him which exploded causing severe injuries and he
fell down. Thereafter, the petitioner and co-accused started firing
indiscriminately on the informant's brother causing injuries to his



head, neck, cheek, back, thigh and leg and due to which he died on the spot.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. Charge-sheet has already been submitted in this case. The petitioner is languishing in jail custody since 13.12.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner along with other co-accused also opened fire on the informant's brother indiscriminately. The post-mortem report suggests that the informant's brother sustained five multiples firearm injuries and six injuries of the explosive substance. Thus the material available on record indicates the presence and participation of Murari Paswan in commission of crime alleged and sharing of common intention.

Considering the aforesaid facts and circumstances as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail.

Learned trial Court is directed to expedite the trial and conclude the same preferably within nine months.

This application is rejected.

(Chandra Prakash Singh, J)

shobhakri/-

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