

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21129 of 2022

Arising Out of PS. Case No.-70 Year-2019 Thana- KHAGAUL District- Patna

SURENDRA PASWAN Son of Late Gorakh Paswan Resident of village -
Bihta, P.S.- Salimpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 27-09-2022 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Khagaul P.S. Case 70/2019, registered for the offence
punishable under Sections 302, 34 of the Indian Penal Code and
27 of the Arms Act.

As per prosecution case, the informant alleged that
his son Ranjan Kumar was living at the house of his Sala,
Bharat Paswan, in his Sasural. On 16.03.2019 his son came out
from the house of his Mama on Scooty and about 10.30 pm the
informant got information that his son was murdered after
making firing upon him.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. The petitioner is not named in the FIR and during course



of investigation, the name of petitioner surfaced in this case on the basis of confessional statement of co-accused, Ravish Kumar. The petitioner is languishing in custody since 21.05.2021 and bears criminal antecedent of one case.

The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner submitting that at para 94 of the case diary confessional statement of co-accused, Ravish Kumar has been recorded who disclosed that the petitioner fired upon deceased Ranjan Kumar and the postmortem report also suggests that death was caused by firearm.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with postmortem report as well as material available on record, I am not inclined to grant bail to the petitioner. Hence, prayer for bail of the petitioner stands rejected.

However, the trial court is directed to expedite the trial as early as possible. If trial is not concluded within six months from the date of receipt / production of copy of this order, the petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

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