

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 37417 of 2021**

Arising Out of PS. Case No.-131 Year-2020 Thana- BAKHTIYARPUR District- Patna

Chandan Paswan, Son of Jayhind Paswan, Resident of Village- Dedaur, P.S.-  
Bakhtiyarpur, and District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                  |
|--------------------------|---|----------------------------------|
| For the Petitioner/s     | : | Mr. N. K. Agrawal, Sr. Advocate  |
|                          |   | Mr. Manoj Kumar Pandey, Advocate |
| For the Opposite Party/s | : | Mr. Satyendra Narayan Singh, APP |

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

3      27-06-2022              Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. N. K. Agrawal, learned senior counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with S.T. No. 378 of 2020, arising out of Bakhtiyarpur P.S. Case No. 131 of 2020, for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, in sum and substance, it is alleged that on 15.05.2020 while the father of the informant was sitting in his house, all the accused persons came and



surrounded him. Thereafter it is alleged that this petitioner shot fire on the back of his father, due to which he sustained fire-arm injury and later on died.

It is submitted by the learned senior counsel appearing on behalf of the petitioner that though there is specific allegation that this petitioner shot fire over the back of the deceased, but the post-mortem report does not corroborate the prosecution case, inasmuch as the wound of entry of fire-arm injury has been shown over the chest.

On the other hand learned APP for the State vehemently opposes the bail application and submits that there is specific allegation against this petitioner that he fired upon the deceased causing his death and so far as the post-mortem report is concerned, it also indicates the fire-arm injury and the wound of entry show to be back side of the chest.

Having considered the submissions made on behalf of the parties and taking into consideration the specific nature of accusation against this petitioner that he fired upon the deceased, which resulted into his death, this Court is not inclined to release the petitioner on bail. Accordingly, the present bail application stands dismissed.

It is expected that the learned trial court will take all



necessary steps to ensure completion of trial at the earliest.

**(Harish Kumar, J)**

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