

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18642 of 2023

Arising Out of PS. Case No.-126 Year-2022 Thana- BAUSI District- Araria

MANDIP KUMAR PASWAN @ MANDIP KUMAR Son of Gurudev
Paswan Resident of village - Tamghatti Ward No.- 17, P.S.- - Bousi, District -
Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-06-2023 Heard learned counsel for the petitioner, informant and
learned APP for the State.

The petitioner has prayed for bail in a case instituted for
the offence under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The allegation against the petitioner along with others is
of firing upon the brother of the informant, due to which he
succumbed to injury.

It is submitted by learned counsel for the petitioner that
petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that informant is no an eye-
witness of the alleged occurrence. Petitioner is languishing in
judicial custody since 16.12.2022.

Learned APP for the State and learned counsel for the



informant has opposed the application for bail and submitted that there is specific overt act against the petitioner and the doctor opined that the death was caused by fire-arms injury, which corroborates the prosecution case. During investigation several witnesses have also supported the prosecution case.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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