

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27778 of 2023

Arising Out of PS. Case No.-183 Year-2022 Thana- SARAI RANJAN District- Samastipur

VIRENDRA PASWAN SON OF SURESH PASWAN R/O VILLAGE-
GAOPUR, P.S.- SARAI RANJAN, DISTRICT- SAMASTIPUR.. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 12.07.2022 in connection with S.T. No.646 of 2022 arising out of Sarairanjan P.S. Case No. 183 of 2022, F.I.R. dated 11.07.2022 registered for the offence punishable under Sections 302,120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioner is of firing on the brother of the informant in his head, which caused him injury and during treatment he died on the same day.

4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case due to admitted previous land dispute. Further submits that from bare perusal of the FIR it appears that the FIR is in two parts. In 1st part, there is general and omnibus



allegation against all the accused persons including the petitioner and in 2nd part, there is specific allegation against the petitioner that he fired upon the brother of the informant. Learned counsel for the petitioner submits that the informant is not the eye witness of the alleged occurrence and merely on the basis of suspicion the petitioner has falsely been implicated in the present case.

5. Learned APP for the State, on the other hand, on the basis of the material available on the record and the case diary, has opposed the prayer for bail of the petitioner and submits that there is specific direct allegation against the petitioner and the postmortem report of the deceased supports the allegation as alleged in the FIR.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with S.T. No.646 of 2022 arising out of Sarairanjan P.S. Case No. 183 of 2022 pending in the court of learned 8th Additional District and Sessions Judge, Samastipur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

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