

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64391 of 2023

Arising Out of PS. Case No.-150 Year-2022 Thana- KORANSARAI District- Buxar

Milan Paswan @ Milan Kumar Son Of Anil Paswan Resident Of Village -
Basgitiya, P.S. - Koransarai, District - Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Koransarai P.S. Case No. 150 of 2022 dated 13.12.2022,
instituted for the offence punishable under Sections 302/34 of
the Indian Penal Code and 27 of the Arms Act.

3. The prosecution case, in short, is that on
12.12.2022 at about 10:30 pm, the informant heard the sound of
firing near the brick kiln where his uncle used to work and he
ran away on that place. In the meantime, he saw Gaya Singh,
Raj Rishi Singh and Murari Yadav having pistol in their hand
and others having *bhala*, *lathi* and *danda* in their hands. In the
next morning. when the informant was going to the brick kiln
then on his way he saw his uncle namely, Satendra Singh fallen



on the ground and saw that there was one fire arm injury in the head and one fire arm injury in the chest of his uncle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that it is apparent from the F.I.R. itself that there is a land dispute between the informant and the family of Gaya Singh. It is further submitted that there is no specific allegation against the petitioner because the deceased was killed by fire arm injury as per the allegation levelled against the petitioner in the F.I.R. only Gaya Singh, Raj Rishi Singh and Murari Yadav were carrying pistols in their hand. It is further submitted that there is no eye witnesses to the alleged occurrence and petitioner has been made accused in this case due to dirty village politics. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Koransarai P.S. Case No. 150 of 2022, he shall be released on anticipatory bail upon



furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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