

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64707 of 2023

Arising Out of PS. Case No.-794 Year-2022 Thana- GAURICHAK District- Patna

Subodh Paswan S/o Ram Swarath Paswan @ Swarath Das, Resident Of
Sudiha, P.S. Gaurichak, Dist. Patna

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Gaurichak P.S. Case No. 794 of 2022 registered for the offences punishable under Sections 302, 120B and 34 of the Indian Penal Code and Section 27 of the Arms Act. He has 11 criminal antecedent on his head.

3. As per the prosecution story, on 28.11.2022, informant along with his son proceed for Arwal on motorcycle. After they had travelled 500 meters, ten accused persons including this petitioner were present there from before and Mani Paswan opened fire on his son due to which he was hit on his temple and he tried to escape but this petitioner fired on the head of informant's son due to which he died at the spot.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has not committed this act. There is a case and counter case between the parties.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner. It is submitted that there is a direct allegation against this petitioner of firing on the deceased. The petitioner has also got criminal antecedent of eleven cases.

6. Having regard to the fact there is a direct allegation of firing the dreaded shot against this petitioner and he has got eleven criminal antecedent as stated in pragraph '3' of the application, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. His prayer for anticipatory bail is refused.

7. This application stands dismissed.

(Rajeev Ranjan Prasad, J)

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