

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67934 of 2022

Arising Out of PS. Case No.-8 Year-2021 Thana- MIRGANJ District- Gopalganj

Pawan Kushwaha @ Pawan Kumar Son of Chhotelal Kushwaha @ Chhotelal
Prasad R/V- Harkhauli, East Tola, P.S- Meerganj, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-03-2023 Heard both parties.

The petitioner apprehends his arrest in Meerganj P.S.
Case No. 08 of 2021, registered for the offences punishable
under Sections 302, 120(B), 506/34 of the Indian Penal Code.

As per the prosecution case, on the alleged date and
time of occurrence, while the son of informant and his friend
Shivnath Choubey were sitting in his office, four unknown
accused persons made indiscriminate firing upon the son of
informant and when Shivnath Choubey raised alarm, the
younger brother of informant namely, Rajesh Singh rushed
towards him thereafter accused persons fled away. During
course of treatment son of informant died. Informant suspects
that this petitioner along with accused persons under conspiracy
got killed his son.



It is submitted that informant is not eye-witness of the occurrence and only on suspicion he has been made accused in this case. There is no specific allegation against any of the accused persons rather allegation is general and omnibus. During course of investigation, one Md. Ehasan was arrested and in his confession he disclosed that he along with others contacted Irshad who killed the son of informant. Petitioner claims clean antecedent.

Counsel for State vehemently opposed the prayer for bail and submitted that petitioner played active role in the murder of son of informant.

Considering the facts aforesaid and gravity of offence, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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