

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73304 of 2022

Arising Out of PS. Case No.-288 Year-2021 Thana- DHANARUA District- Patna

NITISH PASWAN @ NITISH KUMAR Son of Rajendra Paswan R/V-
Jaudichak, Jamalpur, P.S- Dhanarua, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashmi Sharma
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 24-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case instituted for the offence under Sections 147, 148, 149, 341, 342 and 302 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 husband of the informant due to which he died on spot.

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 seven accused persons are named in the FIR but out of them, six persons are not sent up for trial. He is languishing in judicial custody since



03.09.2021.

The application for bail is opposed by learned APP for the State and submitted that there is direct allegation against the petitioner, who shot fired upon the informant's husband due to which he succumbed to injury. As per postmortem report doctor opined that death was due to head injury caused by fire arm, which has corroborated 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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