

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10556 of 2024

Arising Out of PS. Case No.-141 Year-2022 Thana- KINJAR District- Jehanabad

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Jitan Paswan S/o Sudarshan Paswan R/o Azad Nagar, P.S.- Kinjar, Distt.-
Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Saroj Kumar Choudhary, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

5 05-07-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and counsel for the informant.

2. The petitioner seeks regular bail in connection with
S.Tr. No.719 of 2023, arising out of Kinjar P.S. Case No.141 of
2022 lodged under Sections 302, 34 and 120B of the I.P.C. read
with Section 27 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against two named and other unknown accused persons
excluding the petitioner against whom there is allegation of
murder of informant's husband by gun shot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the petitioner is not named in the F.I.R. and his name has
come on subsequent level during investigation only by virtue of



confessional statement which may not be relied upon.

5. Counsel for the petitioner submits that petitioner is in custody since 24.04.2023 having one criminal antecedent in which he is not on bail.

6. Learned counsel for the State opposes the prayer for bail.

7. Learned counsel for the informant vehemently opposes the prayer for bail and submits that it is true that the petitioner is not named in the F.I.R., but it is also true that the petitioner has been arrested by three desi katta with arms. During investigation, police has found seven empty cartridges at the place of occurrence.

8. He further submits that post-mortem of the dead body took place whose report is in case diary in which fire arm injury has been found which is cause of death and the petitioner himself confessed that he has fired and his confession fully supported by the injury of the post-mortem report.

9. Counsel further submits that antecedent of the petitioner is also not clean, therefore his bail application may be refused.

10. In the present facts and circumstances of this case and the submissions made above and upon perusal of the case



diary, this Court is not inclined to grant bail to the petitioner.
Therefore, the bail application of the petitioner is hereby
rejected.

11. However, trial court is directed to conclude the
trial as early as possible.

(Dr. Anshuman, J.)

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