

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23935 of 2024

Arising Out of PS. Case No.-78 Year-2023 Thana- PAWANA District- Bhojpur

Sikandar Mushar Son of Chhotak Mushar Resident of Village- Narowni, Ward
No. 11, Police Station- Pawana in the district of Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr. J.N. Thakur

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 14-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Pawana P.S. Case No. 78 of 2023, registered for the offences punishable under Sections 341, 323, 302, 504 of the IPC.

3. As per allegation, the informant along with his wife was sleeping on the roof of his house. In the meantime, his son came there and started abusing and assaulting him. On protest, the petitioner pushed the wife of the informant from the roof, as a result of which, she fell down from the roof and died.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. He is a person of clean antecedent. There is no independent witnesses to the occurrence and the petitioner is under custody since 14.09.2023. He has also submitted that the informant has compromised the case.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that the informant in his restatement (paragraph no. 6 of the case diary) has supported the incident as mentioned in the FIR. Paragraph no. 7, 8 and 9 of the case diary contains the statements of witnesses in which they have fully supported the prosecution case.

6. Considering the above-mentioned facts and circumstances, the petitioner does not deserve the privilege for bail presently, which is hereby rejected.

7. However, the petitioner, if so advised, may renew his prayer for bail after six months, if the trial is not concluded.

(Nawneet Kumar Pandey, J)

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