

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37713 of 2024

Arising Out of PS. Case No.-141 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Chhotu Paswan Son of Late Nawal Kishore Paswan Resident of Mohalla -
Driver Tola Katihar, P.S.- Nagar Katihar, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mazharul Hassan, Advocate
For the Opposite Party/s : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 07-08-2024 Heard learned counsel for the petitioner, informant
and learned counsel for the State.

2. The petitioner apprehends his arrest in connection
with Katihar Nagar P.S. Case No. 141 of 2024 for the offence
registered under Sections 302, 120(B/34 of the Indian Penal
Code and Section 27 of the Arms Act.

3. The Station House Officer-cum-Investigating
Officer of the concerned police station in compliance of the
order dated 04.07.2024 is present in the Court.

4. The Investigating Officer of the case states that the
case has been investigated from all angles and during the course



of investigation, it transpired that the petitioner is involved in the occurrence though not directly. It is also submitted that during the course of investigation, the police had gone to the house of the petitioner and there important fact came to their notice that the C.C. TV. footage of 05.03.2024 and 06.03.2024 was found deleted and the occurrence is alleged to have committed on 06.03.2024. It is also submitted that C.C. TV. footage prior to 05.03.2024 and after 06.03.2024 is there in the C.C. Tv. which amply demonstrate that purposely the C.C. Tv. footage was deleted for some ulterior reason. It is also submitted that during the course of investigation, it transpired that one Ranjit Mallick was acting as a liner and Ranjit Mallick had talked to the petitioner seven (7) times on 04.03.2024 and thereafter, he also had talked with the brother of the petitioner who is in custody. He further submits that brother of the instant petitioner was killed for which Katihar Nagar Town P.S. Case No. 416 of 2021 was instituted in which the present deceased was an accused. The Investigating Officer thus, submits that since brother of the petitioner was killed in which deceased was an accused, as such, the brother of the petitioner, who is in judicial custody contacted Ravi Jaiswal, who organized the entire occurrence through Alok Pradhan. It is also submitted



that the deceased was a railway employee and the investigation is in its nascent stage.

5. Learned counsel appearing on behalf of the petitioner rebut the submission of the Investigating Officer of the case and submits that ultimately, the entire case hinges around confessional statement of Alok Pradhan which unfolded the instant occurrence. It is also submitted that the confessional statement before the police does not admissible in evidence but then he is not in a position to give a positive reply to the submission of the Investigating Officer that C.C. Tv. footage of the petitioner's house was deleted, as recorded herein above. It is also submitted that the petitioner is a poor person and was admitted in PMCH for operation of his Gallbladder and thus, demonstrate that financial condition of the petitioner is not such that he could have managed to give Rs. 5,00,000/- to Alok Pradhan for committing the occurrence.

6. Be that as it may, since one person has been killed and the investigation is in nascent stage and the Investigating Officer has investigated the case and has found the involvement of the petitioner in the occurrence, as such, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner which is accordingly rejected.



7. The personal appearance of the Station House
Officer-cum-Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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