

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48028 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- KHAGAUL District- Patna

- 1 . Mintu Kumar @ Mithu Kumar Son of Ramchandra Paswan R/O Vill.-
Nayanchak, P.S.- Khagaul, Dist.- Patna
2. Nitin Kumar @ Tikala Kr @ Nitil Kr Son of Tinku Pasawan R/O Vill.-
Nayanchak, P.S.- Khagaul, Dist.- Patna
- 3 . Pinku Kumar @ Pinku Paswan Son of Ramchandra Paswan R/O Vill.-
Nayanchak, P.S.- Khagaul, Dist.- Patna
4. Tinku @ Tinku Paswan Son of Ramchandra Paswan R/O Vill.- Nayanchak,
P.S.- Khagaul, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Binod Prasad Singh, Advocate
For the Opposite Party/s :	Mr. Abhay Kumar , APP
For the informant :	Mr. Sikandar , Advocate
	Mr. Pramod Kumar Yadav , Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 07-10-2024 Heard learned counsel for the petitioners,

informant and the State .

2. Petitioners apprehends arrest in a case registered for the offence punishable under sections 302 and 34 of the Indian Penal Code and Section 27 of Arms Act.

3 . As per prosecution case , on the alleged date and time of occurrence , when brother of informant was returning home , in the meantime all the F.I.R., named



accused persons including these petitioners caught him and fired upon him due to which he sustained firearms injury . It is further alleged that after the occurrence when brother of informant was brought to Paras hospital, doctor declared him dead and on the basis of written report of the informant, the instant F.I.R., was lodged.

4. Learned counsel for the petitioners submits that these petitioners are innocent and have falsely been implicated in this case . From bare perusal of the F.I.R., it is apparent that the alleged incident took place late in the night and informant does not disclose source of identification of accused. Allegation is general and omnibus against these petitioners and no specific overt act is alleged against them.

5. Learned counsel for the State as well as informant oppose the prayer for bail and submits that there is specific allegation against the petitioners that they along with other co-accused persons caught the deceased and fired upon him. Post-mortem report also shows that deceased sustained four gun shot injury .



6. Considering the nature of accusation and gravity of offence , prayer for pre-arrest bail of the petitioners is rejected.

(Prabhat Kumar Singh, J)

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