

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53176 of 2024

Arising Out of PS. Case No.-54 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

Buggi Thakur @ Pawan Thakur @ Guggi Thakur @ Pawan Kumar Son of
Late Choudhary Thakur R/O Baghi ward no 24, P.s.- Nagar, Lohiyanagar
O.P., Dist.- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mrs. Namita Sharma, Adv. Mr.Anshu Dhar Sharma, Adv.
For the informant	:	Mr. Ashok Kumar, Adv. Mr. Dharmendra Kumar Singh, Adv.
For the Opposite Party/s	:	Mr.Umeshanand Pandit, APP

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 06-12-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Muffasil P.S Case No.
54/2023 dated 02.02.2023 registered for the offence punishable
u/ss 302 and 120B read with 34 of the Indian Penal Code and
Sections 27 of the Arms Act.

3. As per the prosecution case, the co-accused, Faiz
Ahmad Khan fired on the leg of the informant's husband. The
co-accused, Furan and Saiful Ansari fired on the informant's



husband. Thereafter, the co-accused, Faiz Ahmad and two unknown miscreants fired on her husband who died on the spot.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has surfaced in this case during the course of investigation and on the basis of the confessional statement of the co-accused persons. It is further submitted that the petitioner was not identified during the course of T.I.P. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has seven criminal antecedents as stated in para 2 of the supplementary affidavit filed on behalf of the petitioner, out of which three cases are of similar nature. The petitioner is in custody since 27.02.2023.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner and submitted that the name of the petitioner has been transpired on the basis of confessional statement of the the other co-accused persons, namely, Md. Farhan and Md. Mahfuz Ansari who stated about the complicity of this petitioner in commission of murder of the informant's husband. From para 105 of the case diary, the confessional statement of this



petitioner was recorded in which he confessed his guilt and stated that he fired upon the deceased. From perusal of the para 26 of the main case diary, it appears that witness stated that the co-accused hired this petitioner as a shooter to commit this offence. From perusal of the post-mortem report, several entry wounds were found on the body of the deceased and the doctor opined that the cause of death of the deceased is due to injuries caused by firearms. The petitioner is a notorious criminal who carries Rs. 50,000/- as award as per the police office of Begusarai dated 26.02.2023.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. The application stands rejected.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

