

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76344 of 2024

Arising Out of PS. Case No.-461 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Rohit Kumar @ Rohit Paswan @ Rohit Kumar Paswan Son of Balindar
Paswan R/O Vill.- Balba Koari @ Baladhari Vishunpur, P.S.- Sadar Hajipur,
Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence under Sections 302, 120(B) of the Indian Penal Code
and Section 27 of the Arms Act.

3. As per prosecution case, on 08-05-2023 at about
7:30 PM. the informant got information from the villagers that
some miscreants have fired bullets upon her husband and on this
information, she alongwith her family members, went to
Orchard (*Gachhi*) near Panapur Gaurahi and saw her husband
lying on the ground and blood was oozing out from his body.
She arranged to take him to Patna for treatment and on way, the
informant's husband told the informant that Krishna Kumar



Singh and two other unknown miscreants fired bullets on him. He also told the Informant that Akhilesh Tiwari is main conspirator of this occurrence. Later on, the informant's husband Munna Singh died.

4. Learned counsel for the petitioner submits that petitioner is neither named in the F.I.R. nor by deceased in his statement. During course of investigation, name of the petitioner transpired on the basis of his own confessional statement, which is not admissible in the eye of law. Petitioner is in custody since 30.10.2023.

5. However, learned A.P.P. for the State vehemently opposes the prayer for bail and submits that this petitioner alongwith other co-accused persons committed the murder of husband of informant. Chargesheet has already been submitted against petitioner and other co-accused persons under Section 302 & 120B of the I.P.C. and Section 27 of the Arms Act. During course of investigation, sufficient material has been collected against this petitioner and petitioner himself admitted his guilt during investigation. Learned A.P.P. further submits that there is huge criminal antecedents of this petitioner of the serious and heinous offences.

6. Considering the aforesaid facts and circumstances,



the prayer for bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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