

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13335 of 2025

Arising Out of PS. Case No.-797 Year-2024 Thana- PHULWARISHARIF District- Patna

Vikash Kumar @ Vikash Paswan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhukar Anand, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

8 01-07-2025 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 offences punishable under Sections 302, 307, 379, 504, 34 and 120B of the Indian Penal Code as well as Section 27 of the Arms Act.

3. As per the FIR, the informant alleges that on 08.06.2024 at 11:00 A.M., her family members sat in a garden to settle a dispute, when Sunil Paswan started scuffling with her husband, Mangru Paswan; thereafter, the wife of Sunil Paswan went inside her house and brought arms and gave them to her sons. Further, on orders of Sunil, accused Aman Paswan fired at Abhishek Paswan but missed; thereafter, he shot the husband of the informant after that Sunny also fired at her husband, on



account of which he fell down. Thereafter, it is alleged that on the orders of the petitioner, his sons Vishal Paswan and Vikash Paswan (petitioner) also fired, causing firearm injury on the head of Mangru, while Sunny fled away with the licensed pistol of her husband, which he was carrying in his waist and also snatched the mobile of Neha Priya, who was videorecording the occurrence. The informant further alleges that earlier Rs. 15 lakhs was given to Pawan for staying the auction of the house, which he never returned. Further, Pawan and his sons Dablu, Sandip and Akash and Pawan's wife also threatened to kill. Thus, she alleges that her husband was killed at the behest of Pawan, his three sons and wife (Kumti) and they also may get the informant, Abhishek and Neha killed.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case by the informant. It is further submitted that though there is an allegation of several rounds of firing on the deceased but in the autopsy report only one bullet injury has been found. There is nothing to suggest that the petitioner would tamper with the evidence if he is enlarged on bail. It has lastly been submitted that the petitioner has an antecedent of one case and has been in custody since 13.11.2024.



5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner of firing on Mangru and if privilege of bail is granted, the petitioner may abscond or try to tamper with the evidence.

6. Considering the submissions made by the learned counsel for the respective parties and taking into account that there is specific allegation of firing against the petitioner, I am not inclined to enlarge the petitioner on bail. Hence the prayer is rejected.

(Sourendra Pandey, J)

Prakash/-

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