

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12809 of 2025

Arising Out of PS. Case No.-738 Year-2024 Thana- PIRBAHOR District- Patna

Braj Gopal S/O Bhagwan Singh R/O Bati, P.S.- Jait, Dist.- Mathura, UP

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Adv
Mr. Amresh Kr. Sinha, Adv
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP
For the Informant : Mr. Arjun Prasad, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 09-04-2025 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 Pirbahore P.S Case No. 738/2024 dated 28.10.2024 registered for the offences punishable under Sections 103(1), 61(2) read with Section 3(5) of the B.N.S. and section 27 of the Arms Act.

3. As per the prosecution case, on 27.10.2024, the deceased Awdhesh Agarwal went to his rental room near Imambada, Chudi Gali, Patna to take meal. In the meantime, unknown miscreants entered his room and shot him. Thereafter, he was taken to Paras Hospital for treatment where the doctor declared him dead.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged occurrence. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the course of investigation. No T.I.P. has been conducted by the prosecution. The petitioner has no criminal antecedent as stated in para. 3 of the bail petition. The petitioner is in custody since 30.11.2024.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioner. During investigation, the petitioner has confessed his involvement in the alleged occurrence. As per confessional statement of the co-accused persons, he approached the shooters Neeraj Gautam and Bhusan Pandit and negotiated with them regarding payment and also provided them weapon.

6. Considering the aforesaid facts and circumstances of the case as well as the material available against the petitioner, this court is not inclined to grant bail to the petitioner and the same is rejected in connection with Pirbahore P.S Case No. 738/2024 pending in the court of learned C.J.M., Patna

7. This application stands rejected.

(Chandra Prakash Singh, J)

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