

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26274 of 2025

Arising Out of PS. Case No.-353 Year-2023 Thana- UDAKISHUNGANJ District-
Madhepura

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Pawan Kumar @ Pawan Goshwami S/O Late Srikant Goshwami R/O Village-
Pipra Karauti, Ward No.01, P.S - Udakishunganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 15-05-2025 Heard the learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
S.T. Case No. 29 of 2025 arising out of Udakishunganj P.S.
Case No. 353 of 2023, registered for the offences punishable
under Sections 302, 120(B), 506 of the Indian Penal Code and
Section 27 of the Arms Act. Petitioner has two criminal
antecedents.

3. The prosecution story is to the effect that the
informant alleged that while his son was going towards the
field, the accused persons including the petitioner, namely,
Pawan Goshwami, Chandan Choudhary opened fire causing
injury to him, he was taken to the hospital but was declared



dead.

4. The learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that from the FIR, it is clear that no specific allegation of overt act had been assigned to the petitioner. It has only been shown that on the order of the petitioner, the co-accused, namely Chandan Goswami and Natwar Chaudhary had fired upon the deceased. The learned counsel has stated that the petitioner was not present at the place of occurrence. Lastly, it has been submitted that the petitioner has two criminal antecedents in which he is on bail and in the present case, he is in custody since 11.03.2025.

5. The learned Additional Public prosecutor for the State has opposed the prayer for bail and has stated that the petitioner was the order giver upon whose instruction the other two accused person had fired upon the deceased.

6. Considering the aforesaid submissions made by the parties, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of the court of learned Additional Sessions Judge-IX, Madhepura, in connection with S.T. Case No. 29 of 2025, arising out of Udakishunganj P.S. Case No. 353 of 2023, subject the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Sourendra Pandey, J)

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