

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36716 of 2025

Arising Out of PS. Case No.-86 Year-2024 Thana- Mohanpur District- Purnia

Nitish Paswan @ Nitish Kumar S/o Malku Paswan @ Malki Paswan @ Ajit Paswan R/o Vill- Naya Tola Topra, P.S.- Mohanpur, Distt- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Nishant Kumar Sinha, Advocate
For the Opposite Party/s :	Mr. Ramesh Chandra, APP
For the Informant :	Mr. Amit Kumar Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned APP for the State as also learned counsel for the Informant.

2. The petitioner seeks bail in connection with Mohanpur P.S. Case No. 86 of 2024 instituted for the offence under Sections 126, 115(2), 109, 352, 351(2-4) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The informant stated that Malku Paswan had taken Rs. 2,00,000/- for his daughter's marriage about two years ago but continuously avoided repayment. On 04.09.2024, Malku Paswan, along with his associates, conspired and shot the informant's son Satish Kumar at Naya Tola. When the informant's other son reached there in search of him, Nitish Paswan (petitioner) fired and threatened to kill the entire family



if the money was demanded again.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 24-09-2024. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. From perusal of the FIR, it would reveal that petitioner has allegedly shot fire upon the son of the informant. From perusal of the injury report, it would manifest that the injury was caused by gunshot. Police after completion of investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State as also learned counsel for the Informant have vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that petitioner has specific allegation of firing. Learned counsel for the Informant also submits that two witnesses have been examined in this case hitherto.

7. Considering the aforesaid facts and circumstances of the case, since trial has commenced as also taking into account the fact that there is specific allegation of firing against the petitioner, hence, this Court is not inclined to grant bail to



the petitioner. Prayer for grant of bail is, accordingly, *rejected*.

8. However, petitioner will be at liberty to renew his prayer of bail in the court below, if the trial is not concluded within a period of five months from today.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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