

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53647 of 2024

Arising Out of PS. Case No.-219 Year-2024 Thana- SHASTRINAGAR District- Patna

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GANESH PASWAN SON OF LATE PARAS PASWAN @ RAM BHAWAN
PASWAN Resident of Mohalla - Punaichak Jhoparpatti, Road No.6, P.S. -
Shastri Nagar, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 10-04-2025 Heard Mr. N.K. Agrawal learned Senior Counsel for
the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Shastrinagar P.S. Case No. 219 of 2024 registered for the offences punishable u/s 302, 307, 326 read with section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the cousin of the informant namely Jitendra Rai who used to sale vegetable at Punai chak Sabji Mandi was fired upon by two persons who had come on a motorcycle and on such firing the bullet hit the said Jitendra Rai on his chest and another bullet was hit another vegetable vendor namely Ajay Kumar on his waist and one



Gunjan Kumar (brother of the informant) was also received injury on his leg and the person who had fired was identified by local as Santosh Kumar @ Santosh Gope and Chottu Kumar @ Chottu Gope who was riding the said motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned Senior counsel submits that the petitioner was not named in the FIR and his name has surfaced on the confessional statement of the co-accused Chottu Kumar @ Chottu Gope who had stated that the petitioner had supplied a country made revolver in the month of October during Durga Puja. The learned Senior Counsel has further pointed out that in the other confessional statement of the co-accused Santosh Kumar @ Santosh Gope he has not named the petitioner and has also not stated any incriminating fact against the petitioner. It has further been stated that the petitioner was a local residence of the area where the incident took place but nobody had named the petitioner in the said crime. The petitioner has one antecedent as stated in para 3 of the bail petition and he is in no way connected with the alleged crime. The petitioner is in custody since 01.04.2024.

5. Learned A.P.P. for the State has vehemently



opposed the bail petition of the petitioner by submitting that the petitioner was in conspiracy with the co-accused Chottu Kumar @ Chottu Gope and Santosh Kumar @ Santosh Gope.

6. Taking into account the fact that nothing incriminating has been recovered from the petitioner nor there is any specific averments of overt act alleged against the petitioner barring the confessional statement made by the co-accused Chottu Kumar @ Chottu Gope and taking into the consideration the fact that the petitioner is in jail since 01.04.2024, let the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Shastrinagar P.S. Case No. 219 of 2024.

7. The application stands allowed.

(Sourendra Pandey, J)

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