

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74187 of 2024

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

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Pawan Goshwami @ Pawan Kumar S/O Late Srikant Goshwami R/O - 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. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-02-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Udakishunganj P.S. Case No. 353 of 2023 instituted under Sections 302, 120(B) and 506 of the Indian Penal Code and section 27 of the Arms Act lodged on 16.11.2023 by the informant, Bechan Goswami.

3. As per the prosecution story, the informant alleged that while his son was going towards field, the accused persons including the petitioner herein surrounded and on the order of Pawan Goswami (petitioner herein), Chandan and Natwar Choudhary opened fire, causing injury to him. He was taken to Udakishunganj hospital and then to Madhepura but was declared dead. Accordingly, the FIR.



4. Though learned counsel for the petitioner submits that he has no role to play and only to assign role, he has been made an order giver, learned APP, Mr. Bharat Bhushan submits that beside Chandan Goshwami and Natwar Chaudhary who executed by opening fire, the allegation of order giver is against the petitioner and this is anticipatory bail.

5. Considering the submissions of the parties as also the role that has been assigned to him coupled with the fact that he has criminal antecedent, in that background, it would be appropriate that he seeks bail.

6. The present anticipatory bail application stands rejected.

7. If, however, the petitioner surrenders within four weeks from today, the Court concerned shall take up the matter and it is expected that the same shall be disposed of on the same day without being prejudiced by any observation made in the present petition.

(Rajiv Roy, J)

Adnan/-

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