

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80462 of 2024**

Arising Out of PS. Case No.-95 Year-2024 Thana- NAUHATTA District- Rohtas

Bunty Paswan @ Atul Kumar S/O Late Awadh Bihari Paswan R/O Village-
Daranagar, P.S.- Nauhatta, District- Rohtas, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankit Katriar, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 17-02-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Nauhatta P.S. Case No. 95 of 2024 instituted for the offences
under Section 302 of the Indian Penal Code.

3. Prosecution case, in short, is that, the accused
persons called the informant's nephew to attend a feast at the
school and when he reached there, they committed his murder.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case only on the basis of suspicion. Petitioner is not
named in the F.I.R. The name of the petitioner transpired in this
case only on the basis of the mobile number which was used to



call the deceased at the place of occurrence as the same belongs to this petitioner. Learned counsel further submitted that there is a delay of three days in lodging the FIR without plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that as per paragraph no. 108 of the case diary, this petitioner has confessed his guilt and specifically stated the manner in which the accused persons including him committed the murder of the deceased, and the said confessional statement is further supported by the post-mortem report of the deceased. Learned APP, therefore, prays that petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, confessional statement of the petitioner in which he has confessed his involved in the commission of murder of the deceased which is further supported by the post-mortem report,



this Court is not inclined to grant bail to the petitioner taking into account the nature and gravity of offence.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

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