

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81271 of 2024

Arising Out of PS. Case No.-97 Year-2024 Thana- SHRI NAGAR District- Madhepura

Pawan Sharma Son of Lalan Sharma Resident of Village - Lakshmipur
Bhagawati Ward No. 12, P.S. - Srinagar, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

9 06-08-2025 1. Heard the parties.

2. The petitioner seeks regular bail in connection with Srinagar P.S. Case No. 97 / 2024 registered for the offence under Section 103(1), 3(5) of the Bharatiya Nyay Sanhita 2023 and Section 27 of the Arms Act.

3. As per the F.I.R. lodged by the father of the deceased the deceased - Shashi Sharma was the son of the informant and Rinki Kumari is the daughter of the informant and Rinki Kumari was married with the petitioner / Pawan Sharma four years ago. After marriage the petitioner and his family members started torturing and subjected the informant's daughter to cruelty. They used to threaten the informant and his daughter that they would be shot dead. On 29.07.2024 the informant's son i.e. deceased had gone to the matrimonial home of her sister Rinki Kumari in



the village - Laxmipur Bhagwati where the deceased was shot dead by the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence in the manner alleged. The informant is not an eye witness to the occurrence and the F.I.R. has been lodged on the basis of phone call made by his daughter - Rinki Devi. The allegation against the petitioner is general and omnibus in nature. The petitioner is having one criminal antecedent and he is in jail since 31.07.2024.

5. On the other hand learned counsel for the State referring to the case diary and the F.I.R. submits that from the F.I.R. itself it appears that Rinki Kumari i.e. deceased's sister was an eye witness and was present at the place of occurrence. During investigation her statement was recorded by the police in which she has categorically stated that it was the petitioner who shot bullet at the chest of Shashi Sharma causing his death on the spot. The petitioner has also made confessional statement regarding his guilt before the police. The police recovered two country made pistol kept under soil inside bamboo clump and as per the P.M. report cause of death is fire arm injury.

6. Regard being had to the submission made by the parties,



taking into consideration the gravity of offence and the fact that petitioner is the main assailant, I am not inclined to grant bail to the petitioner at this stage. The same is rejected.

7. However, the petitioner may renew his prayer for bail after one year from today if the trial does not show any substantial progress.

(Anil Kumar Sinha, J)

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