

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87993 of 2024

Arising Out of PS. Case No.-74 Year-2024 Thana- MORKAHI District- Khagaria

Mukesh Paswan, Son of Rajgeer Paswan @ Rajgir Paswan, Resident of
Village- Bagrash, P.S.- Bakhari, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Anshul, Sr. Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 17-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code (IPC) added Section 120(b) IPC and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. The case of the prosecution is that the brother of the informant, namely, Shambhu Kumar had gone for measuring land. After measurement, one Dinesh Rajak and Shambhu Kumar were returning on their TVS bike. Dinesh Rajak was his pillion and at 06:00 P.M., two bikers overtook and fired at Shambhu Kumar. He was rushed to the hospital where he died during his treatment.

4. Learned counsel appearing on behalf of the



petitioner has submitted that during investigation, one Prince Kumar was arrested. He in his confessional statement disclosed that in the said murder Vikesh Kumar Singh was contacted by him as the matrimonial house of his sister is there in village Marar and Mukesh Paswan was married to his sister. Vikesh Singh disclosed that Rs. 1.5 Lakh is to be spent for the murder. Then Prince Kumar came to his village and disclosed to one Jaykishor Kumar and demanded his bike for the occurrence. It is further stated by Prince Kumar that he along with Mukesh Paswan went towards the place of occurrence near petrol pump. The name of the petitioner Mukesh Paswan surfaced in the confessional statement of Prince Kumar. From perusal of the case diary it also transpires that Mukesh Paswan has also given his confessional statement and in his confessional statement he has stated that he concealed the weapon of offence in the house of his father-in-law and from there weapon of offence was recovered. Though the name of this petitioner has surfaced in the confessional statement of Prince Kumar but on his confessional statement the weapon of offence was recovered. So the statement leading to recovery being relevant is reliable.

5. Learned APP for the Stated has vehemently opposed the prayer for bail.



6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the present bail application stands rejected.

(Ashok Kumar Pandey, J)

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