

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 22500 of 2017

Arising Out of PS.Case No. -62 Year- 2015 Thana -BAHERI District- DARBHANGA

- =====
1. Shyam Paswan, S/o Bhola Paswan.
 2. Sonu Paswan, S/o Shyam Paswan.
- Both are resident of Village Kalyanpur Mahua, P.S. Baheri, District-Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pradeep Kumar Singh, Advocate

For the State : Mr. Sufiyan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 07-07-2017

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in Baheri P.S. Case
No. 62 of 2015 dated 24.03.2015 instituted under Sections
448/420/364/34 of the Indian Penal Code.

3. The allegation against the petitioners is that they have
abducted the husband of the informant for causing harm to him. The
cause which has been mentioned is that the husband of the informant
had sold land to the petitioners about a year ago and the consideration
money was not paid due to which the occurrence has taken place.

4. Learned counsel for the petitioners submitted that on
the same day, the wife of petitioner no. 1 had met with an accident



and admitted to Baheri Hospital from where she was shifted to PMCH on 11.03.2015 and thus, he has no connection with the disappearance of the husband of the informant. Learned counsel submitted that the husband of the informant was exerting pressure on them to return the land and for this purpose only, false case has been instituted against them.

5. Learned A.P.P., from the case diary, submitted that witnesses have stated that the petitioners had called the husband of the informant from his house and thereafter he has not been seen. It was further submitted that the petitioners had earlier moved before the Court below for anticipatory bail in A.B.P. No. 671 of 2015, which was rejected by order dated 23.05.2015 and thereafter again they preferred A.B.P. No. 175 of 2017, which has been rejected on 04.03.2017 against which they have moved this Court in the present application. It was submitted that they have been evading the process of law as warrant and proclamation has already been issued against them and they are repeatedly filing anticipatory bail applications without there being any fresh ground for the same. It was further submitted that the husband of the informant till date has not been recovered. He submitted that the tower location of the mobile of the petitioner no. 1 and the husband of the informant has been found to be at the same place.



6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioners on anticipatory bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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