

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29457 of 2019

Arising Out of PS. Case No.-46 Year-2019 Thana- PUNPUN District- Patna

CHANDESHAWAR PASWAN @ CHANESCHAR PASWAN Son of Late
Shivshanker Paswan, Resident of Village-Potahi, Post-Basuhar, Police
Station-Punpun, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshuman

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 19-09-2019 This application, for grant of anticipatory bail, arises
out of Punpun (Patna) P.S. Case No. 46/19, disclosing offences
under Sections 147,148, 149, 341, 323, 325, 307 and 504 of the
Indian Penal Code.

Allegation against the petitioner is of assault to the
informant by means of rod causing fracture injury to him. Apart
from that it appears that petitioner is accused in one more case.

Submission of learned counsel for the petitioner as the
informant has tried to kidnap the daughter of accused no. 4, some
scuffle has taken place and although there is allegation of assault
but the injury sustained by the informant was not found grievous
in nature.

Heard learned A.P.P. also as well as learned counsel for
the informant. They have opposed the prayer for anticipatory bail



of the petitioner. Learned counsel for the informant has submitted that apart from the present case and the case mentioned in paragraph – 3 of the petition, petitioner is accused in one more case, which he has not mentioned in his petition and further, informant has filed the counter affidavit, which shows that on 01.11.2018, learned Presiding Officer, Fast Track Court No. II, Patna has convicted the accused – petitioner in Sessions Trial No. 161 of 1999 and directed him to be released on probation of good conduct for a period of two years and keep peace but prior to that petitioner indulged in such type of case.

Having heard both sides, considering the facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, if possible on same day, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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