

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71261 of 2018

Arising Out of PS. Case No.-343 Year-2017 Thana- BALIYA District- Begusarai

Sandeep Paswan @ Sanjeev Paswan S/o Late Jagdish Paswan, Resident of
Village- Chhoti Ballia Bazar, P.S.- Ballia, District- Begusarai.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Arjun Prasad, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 22-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 461 and 379 of the Indian Penal Code registered in connection with Ballia P.S. Case No. 343 of 2017. Later on, Sections 457 and 380 of the IPC have been added.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion, except which there is no objective material to connect him with the alleged occurrence. No recovery of any incriminating articles has been made from the possession of the petitioner. The petitioner is on bail in two prior cases in which he has been made accused.

4. Learned APP opposes the anticipatory bail petition on the basis of the case diary, submitting that two witnesses, namely, Md. Ali Ashraf (para-35) and Md. Mukshad (para-36) have stated that the petitioner was seen carrying away the bag.

5. Having regard to the nature of accusations, gravity of offence alleged as well as criminal antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to him. The anticipatory bail petition stands dismissed.



6. If the petitioner surrenders and seeks regular bail before the learned trial Court, the same shall be considered on its own merit in accordance with law and without being prejudiced by any observation in the present order.

(Vikash Jain, J)

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