

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51360 of 2019

Arising Out of PS. Case No.-37 Year-2019 Thana- BELDOUR District- Khagaria

1. BABLOO PASWAN Son of Fekan Paswan Resident of Village- Kharra Basa (Rohiyama), P.S.- Beldaur, District- Khagaria.
2. Marar Paswan Son of Fekan Paswan Resident of Village- Kharra Basa (Rohiyama), P.S.- Beldaur, District- Khagaria.
3. Pandav Paswan Son of Fekan Paswan Resident of Village- Kharra Basa (Rohiyama), P.S.- Beldaur, District- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

3 25-11-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Beldaur Police Station Case No. 37 of 2019, disclosing offences under Sections 147/448/323/307/379/504/302 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners, along with other co-accused persons, assaulted the informant, leading to his death.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in the present case due to land dispute. He further submits that both the parties are agnates and the entire family members have been made accused in this case. He further submits that no specific



allegation of assault is there against the petitioners.

On the other hand, learned Additional Public Prosecutor opposed the prayer for bail and submits, referring to the case diary, that the police, on completion of investigation, has submitted charge sheet against the petitioner, finding the case true against them.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the deceased himself was the informant and he has disclosed the name of the petitioners in the First Information Report and charge sheet has been submitted by the police, I am not inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, dismissed.

The petitioners are directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If they do so, their application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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