

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1499 of 2020

Arising Out of PS. Case No.-274 Year-2014 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. RUDAL @ RUDAL PASWAN Son of Basuki Paswan Resident of Village - Bishanpur (Dhobauli), P.S.- Muffasil (Begusarai), Distt.- Begusarai.
 2. Mahesh @ Mahesh Paswan Son of Basuki Paswan Resident of Village - Bishanpur (Dhobauli), P.S.- Muffasil (Begusarai), Distt.- Begusarai.
 3. Shankar @ Shankar Paswan Son of Duro Paswan Resident of Village - Bishanpur (Dhobauli), P.S.- Muffasil (Begusarai), Distt.- Begusarai.
 4. Awadh Paswan Son of Duro Paswan Resident of Village - Bishanpur (Dhobauli), P.S.- Muffasil (Begusarai), Distt.- Begusarai.
 5. Manoj @ Manoj Paswan Son of Aajo Paswan Resident of Village - Bishanpur (Dhobauli), P.S.- Muffasil (Begusarai), Distt.- Begusarai.
 6. Ghogan @ Ghoghan Pandit Son of Chharpan Pandit Resident of Village - Bishanpur (Dhobauli), P.S.- Muffasil (Begusarai), Distt.- Begusarai.
 7. Bhim @ Bhim Paswan Son of Ghuro Paswan Resident of Village - Bishanpur (Dhobauli), P.S.- Muffasil (Begusarai), Distt.- Begusarai.
 8. Bahadur @ Bahadur Paswan Son of Chamman Paswan Resident of Village - Bishanpur (Dhobauli), P.S.- Muffasil (Begusarai), Distt.- Begusarai.
 9. Karu @ Karu Paswan Son of Baldev Paswan Resident of Village - Bishanpur (Dhobauli), P.S.- Muffasil (Begusarai), Distt.- Begusarai.
 10. Jitendra @ Jitendra Paswan Son of Bisheshwar Paswan @ Biseswar Paswan Resident of Village - Bishanpur (Dhobauli), P.S.- Muffasil (Begusarai), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rai Mukesh Sharma
For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 27-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been



filed by the petitioners apprehending their arrest in connection with Begusarai Muffasil P.S. Case No. 274 of 2014, registered for the offence punishable under sections 147, 148, 149, 324, 384, 386, 307, 447 and 364 of the Indian Penal Code and section 27 of the Arms Act.

As per the allegation in the FIR, in the night of 19.07.2014, the accused persons named in the FIR are said to have come variously armed, kidnapped the manager of the informant and handed him over to some unknown persons. It is submitted that after coming back to Bishanpur Tola, the accused persons started constructing a hut. On the informant reaching there, his vehicle was surrounded by them and it is stated that Ghuro, Bindeshwar Paswan along with Sunil Sah assaulted the informant as a result of which he sustained injuries. Further Bisheshwar is said to have fired upon the informant but the same missed and other persons also fired. Thereafter, Bisheshwar is said to have given lathi blow on the jaw of the brother of the informant, who was thereafter taken to hospital for treatment.

It is submitted by learned counsel for the petitioners that the allegations against the ten petitioners are general and omnibus and the main allegation is against Bisheshwar Paswan,



who has already been enlarged on bail vide order dated 17.05.2018 passed in Cr. Misc. No. 18401 of 2018. It is further submitted that a proceeding under section 145 Cr.P.C. is pending between the parties.

The application for bail is opposed by learned APP for the State who submits that there is inordinate delay of about six years in filing this anticipatory bail application and so far as, Bisheshwar Paswan is concerned, he was granted regular bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, specially the delay in filing this application for bail, this Court is not inclined to grant anticipatory bail to the petitioners and, as such, the same is rejected.

The petitioners are directed to surrender in the Court below within a period of four weeks

(Partha Sarthy, J)

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