

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10874 of 2021

Arising Out of PS. Case No.-79 Year-2020 Thana- BIHARIGANJ District- Madhepura

1. SANOJ PASWAN S/O LATE GANESHI PASWAN R/O VILLAGE-JOTAILI, P.S-BIHARIGANJ, DISTRICT-MADHEPURA.
2. BIJAL PASWAN S/O LATE GANESHI PASWAN R/O VILLAGE-JOTAILI, P.S-BIHARIGANJ, DISTRICT-MADHEPURA.
3. MITHUN PASWAN S/O LATE TILAK PASWAN R/O VILLAGE-JOTAILI, P.S-BIHARIGANJ, DISTRICT-MADHEPURA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikram Deo Singh- Advocate
		Mr. Alok Kumar Singh- Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 05-10-2021 Heard Mr. Vikram Deo Singh, the learned Advocate

for the petitioners and Md. Aslam Ansari, the learned APP for

the State.

The petitioners seek bail in anticipation of their arrest
in connection with Bihariganj P. S. Case No.79 of 2020,
instituted for the offences under Sections 147, 148, 149, 341,
323, 302 of the Indian Penal Code.

The petitioners and several others assaulted the
informant, his wife, his son and his father. Because of the
assault, the father of the informant died.

Mr. Singh, the learned Advocate for the petitioners



has submitted that no specific accusation has been levelled against the three petitioners in the present bail petition. The specific act of assault has been attributed against others. He has further submitted that the dead body of the deceased was found at the *darwaja* of the informant. The informant is also a witness to the inquest which was performed prior to the lodging of the F.I.R. A written report is said to have been filed by the informant about two to three hours later.

It has thus been alleged that because of the land dispute, the names of the petitioners have been incorporated in the F.I.R. It has also been submitted that apart from the deceased, there is no injury on any one of the so called victims namely, informant, his wife and his son. On these grounds, the petitioners seek bail in anticipation of their arrest.

For the nature of accusation in the F.I.R. and the background of enmity, I am not inclined to accord the privilege of anticipatory bail to the petitioners.

The prayer for anticipatory bail of the petitioners is rejected.

Should the petitioners surrender before the Court below and seek bail, all the grounds noted above shall be taken into account and an order shall be passed without being



prejudiced by the fact that the present anticipatory bail application on their behalf has not been entertained by this Court.

(Ashutosh Kumar, J)

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