

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19065 of 2022**

Arising Out of PS. Case No.-62 Year-2021 Thana- MEHANDIA District- Jehanabad

BHOLA PASWAN Son of Ram Tavkya Paswan Resident of Village - Teri,  
P.S. - Mehendiya, District - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Priyanka Singh, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      06-12-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that on refusal to give battery, the accused persons, including the petitioner, took his son from the house of his friend on 25.05.2021 and on 26.05.2021 his dead body was found.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in



the FIR, it would manifest that the informant is not an eye-witness to the occurrence and allegation against the petitioner of taking away informant's son is also not based on any information or else the same would have been disclosed in the FIR, it is next submitted that even during the course of investigation nothing has come to connect the petitioner with the offence, it is also submitted that petitioner will not evade the law and will co-operate in the investigation and will present himself as and when required by the Investigating Officer of the case.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, but fairly submits after perusing the case diary that during the course of investigation no material has transpired which directly connects the petitioner with the offence.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case



is pending/successor court in connection with Mehendiya P.S.  
Case No. 62 of 2021 subject to the conditions as laid down  
under Section 438 (2) of the Cr.P.C.

Further, in the event, if the Investigating Officer of the  
case files an application before the learned trial court bringing to  
its notice that the petitioner despite giving assurance to this  
Court is not co-operating in the investigation or is not presenting  
himself when called. The learned trial court after giving an  
opportunity of hearing to the petitioner shall pass orders in  
accordance with law and shall also be entitled to cancel his bail  
bonds. Further, in the event, if charge-sheet is submitted and the  
learned trial court comes to a conclusion and the petitioner is  
trying to delay the trial then in that event also the learned trial  
court will be entitled to pass orders in accordance with law  
including cancelling the bail bonds of the petitioner.

The learned trial court is directed to send a copy of  
this order to the concerned P.S.

**(Satyavrat Verma, J)**

Shivam/-

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