

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43548 of 2022

Arising Out of PS. Case No.-223 Year-2022 Thana- SASARAM NAGAR District- Rohtas

1. SURESH PASWAN Son of Ram Chandra Paswan Resident of village- Karpurwa, P.s- Sasaram Town, Darigaon, Dist- Rohtas
2. Pardeshi Paswan Son of Gupteshwar Paswan Resident of village- Karpurwa, P.s- Sasaram Town, Darigaon, Dist- Rohtas
3. Binod Paswan Son of Gupteshwar Paswan Resident of village- Karpurwa, P.s- Sasaram Town, Darigaon, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari
For the Opposite Party/s : Mr. Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

Learned counsel for the petitioners seeks permission to withdraw this application as against the petitioner no.3 as he has already been arrested by the police, during pendency of this application.

Permission is granted.



Accordingly, the instant application as against the petitioner no.3 is dismissed as withdrawn.

Now, this application is being heard for consideration of anticipatory bail as against the petitioner no.1 & 2 only.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 427, 379, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is specific allegation against the petitioners. He submits that similarly situated co-accused has already been granted bail by a Bench of this Court vide order dated 28.09.2022 passed in Cr. Misc. No. 36226 of 2022. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner no.1 & 2 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on



furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sasaram town (Darigaon) P.S. Case No. 223/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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