

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8042 of 2023

Arising Out of PS. Case No.-347 Year-2022 Thana- CHANDAUTI District- Gaya

Binod Paswan @ Binod Kumar Son Of Bindeshwar Paswan R/O Village-
Baljori Bigha, P.S.- Chandaui, District- Gaya, Pin 823001, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Shekhar

For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State assisted by learned counsel for the
informant.

The petitioner apprehends his arrest in Chandaui P.S.
Case No. 347 of 2022 registered for the offences punishable
under Sections 342, 326, 307, 120(B) and 34 of the Indian Penal
Code and Section 27 of the Arms Act, pending in the Court of
learned Additional Chief Judicial Magistrate, III, Gaya.

Allegation against the petitioner is that he
assaulted one Ram Pravesh Yadav by means of firearms.

Learned counsel for the petitioner submits that no
such occurrence as alleged ever took place. He has been falsely
implicated in this case. The allegation levelled against the
petitioner is not specific rather general and omnibus in nature.



He submits that due to previous enmity the petitioner has been dragged in the present case. The petitioner has got no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State as well as learned counsel for the informant opposing the bail petition submitted that there is specific overt against the petitioner and the injury was found grievous in nature. Hence, he does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the nature of the injury, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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