

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10273 of 2023

Arising Out of PS. Case No.-47 Year-2022 Thana- NTPC District- Patna

1. SANTOSH PASWAN S/O MUNNA PASWAN R/v- Dariyapur, P.S.- NTPC, District- Patna
2. RAHUL PASWAN @ RAHUL KUMAR S/O GYANI PASWAN R/v- Dariyapur, P.S.- NTPC, District- Patna

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Vinay Ranjan, Advocate
For the State	:	Mrs. Pushpa Sinha-1, APP
For the Informant	:	Mr. Ramji Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 09-05-2023 Heard learned counsel for the petitioners and the learned A.P.P. for the State assisted by learned counsel for the informant..

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 363 and 365 of the Indian Penal Code, later on Section 302 and 201/34 of the Indian Penal Code has been added.

The son of the informant went to participate in a marriage party. At the time of *Jaimala* ceremony, he become traceless. Later on, his dead body was found from a well. The informant expressed his firm belief that the petitioner in



association of other accused persons named in the F.I.R. are indulged in the occurrence.

The petitioners are quite innocent and have been falsely implicated in this case due to previous grudge. The allegations levelled against the petitioners is general and omnibus in nature. It is further submitted that during course of investigation nothing has come to suggest the involvement of the petitioners in the alleged occurrence. It is further submitted that it is unbelievable that the brother/uncle/father of the bride, on whose door baraat came would do such type of act. It is further submitted that there is no eye-witness of the aforesaid occurrence. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Per contra, learned APP for the State assisted by learned counsel for the informant vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

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

However, if the petitioners surrender before the



learned Court below within six weeks from today and seek regular bail the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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