

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13324 of 2023

Arising Out of PS. Case No.-557 Year-2022 Thana- DIGHA District- Patna

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NIRAJ PASWAN @ NIRAJ KUMAR SON OF MADAN KUMAR @
MADAN PASWAN R/O VILL.- POLSSION ROAD, DHUSUK TOLA, P.S.-
DIGHA, DISTT.- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan, Adv
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP
Mr. Bhaskar Shankar, Adv

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-05-2023 Heard the parties.

The petitioner apprehend his arrest in connection with Digha P.S. Case No.557 of 2022, registered for the offence punishable under Sections 307, 379 and 34 of the Indian Penal Code and 27 of Arms Act.

Allegedly, the petitioner and other accused persons continuously fired upon the informant due to which one neighbor of the informant got injured. It is alleged that the accused persons went to the shop of the informant and took Rs.2,00,000/- and also his motorcycle. The whole incident has already been captured in the CCTV camera of the shop of the informant.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He further submits that the petitioner has no any inimical terms with the informant prior to the date of occurrence. Petitioner has one criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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