

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31204 of 2023

Arising Out of PS. Case No.-176 Year-2022 Thana- BODHGAYA District- Gaya

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RUPESH PASWAN Son of Bugi Paswan Resident of Village - Mastipur, P.S.-
Bodhgaya, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
308, 379, 506 and 34 of the Indian Penal Code.

3. The informant alleges that he was intercepted by
the named accused persons including the petitioner along with
4-5 unknown criminals and Uday assaulted him by an iron rod
causing injury on head, further Uday and Gautam assaulted by
lathi and danda causing injury on ear and nose, thereafter Raj
took his mobile and Sachin threw the mobile on ground.

4. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and has been falsely
implicated in the present case, it is next submitted that the date



of occurrence is 13.03.2022 and the FIR came to be instituted on 2.04.2022 i.e., after a delay of more than nineteen days without any plausible explanation. It is next submitted that though petitioner is named in the FIR but then there is no specific allegation of committing any overt act against him.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. 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 Bodhgaya P.S. Case No. 176 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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