

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41547 of 2023

Arising Out of PS. Case No.-103 Year-2022 Thana- BHARGAMA District- Araria

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Sitaram Paswan Son of Late Musharu Paswan Resident of Village - Khutaha,
Bajnathpur, East Chariaya, Ward No.- 10, P.S.- Bhargama, District - Araria
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh

For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-09-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 147, 148, 149, 341, 323, 324, 325, 447, 354B, 302, 504, 506 of the Indian Penal Code.

3. As per the prosecution case, on the alleged date and time of occurrence, this petitioner alongwith other co-accused persons brutally assaulted father of the informant with dabia, farsa & iron rod and when daughter and son of informant came to save him (informant's father), they were also assaulted. During course of treatment, father of informant died.

4. It is submitted on behalf of petitioner that there is inordinate delay in lodging the F.I.R. and there is no plausible explanation of delay. There is general and omnibus allegation against all the accused persons including this petitioner. Due to land dispute between the parties, this false and concocted case



has been lodged.

5. However, learned A.P.P. for the State vehemently opposed the prayer for anticipatory bail and submitted that there is specific allegation against this petitioner that he assaulted on the head of father of informant by means of axe, due to which, he died. During course of investigation, many witnesses have supported the prosecution case.

6. Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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