

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44709 of 2023

Arising Out of PS. Case No.-173 Year-2020 Thana- JADIA District- Supaul

1. Anmol Paswan Son Of Chhutih Paswan Resident Of Village - Jadia, Ward No.- 15, Paswan Tola, P.S.- Jadia, District - Supaul.
2. Sudhir Paswan @ Sunil Kumar Paswan Son Of Anmol Paswan Resident Of Village - Jadia, Ward No.- 15, Paswan Tola, P.S.- Jadia, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur
For the Opposite Party/s : Mr. Dilip Kumar No. 1
Mr. Ranjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 10-11-2023 Heard Mr. Prafull Chandra Thakur, learned counsel for the petitioners, Mr. Dilip Kumar No. 1, learned A.P.P. for the State and Mr. Ranjay Kumar Singh, learned counsel for the informant.

2. In compliance of order dated 06.11.2023, the Superintendent of Police, Supaul, the Investigating Officer of the present case and the Police Inspector are physically present in this Court.

3. The petitioners apprehend their arrest in Jadia P.S. Case No. 173 of 2020 registered for the offences punishable under 341, 323, 324, 325, 427, 379, 354, 307, 504, 506 of the Indian Penal Code, pending in the Court of learned



A.C.J.M.-V, Supaul.

4. As per the prosecution case, the petitioners along with other co-accused persons are said to have assaulted the informant's side.

5. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that after investigation the Investigating Officer has submitted charge-sheet in this case showing these petitioners as innocent, but the learned Court below took cognizance against these petitioners. Petitioner no. 1 has one criminal antecedent and petitioner no. 2 has no criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State as well as learned counsel for the informant opposed prayer for anticipatory bail and submitted that there is ample evidence against these petitioners. Hence, they do not deserve privilege of anticipatory bail.

7. Considering the facts and circumstances of case and the fact that there is ample evidence against these petitioners, I am not inclined to enlarge the petitioners on



anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

8. 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 on the same day in accordance with law without being prejudiced by this order.

9. The personal appearance of the S.P., Supaul, the I.O. and the Police Inspector stands dispensed with, with the direction to be careful in future.

(Anjani Kumar Sharan, J)

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