

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52266 of 2022

Arising Out of PS. Case No.-30 Year-2022 Thana- KHUSRUPUR District- Patna

=====

GUDDU PASWAN @ GUDDU KUMAR Son of Bidhi Paswan Resident of
Village- Maghaha Malpur, P.S.- Khshrupur, Dist.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha

For the Opposite Party/s : Mr.Parmanand Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 17-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Khushrupur P.S. Case No.30 of 2022, registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code as well as Section 27 of the Arms Act.

Accusation against the petitioner and other co-accused persons is of killing the mother of the informant by slitting her neck.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that there is no eyewitness of the occurrence. Learned counsel



for the petitioner submits that the place of occurrence belongs to the father of the petitioner, therefore, the petitioner has also been made accused. It is also submitted that similarly situated co-accused persons have already been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 28.03.2023, passed in Cr. Misc. No.3444 of 2023.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner by submitting that the co-accused persons have been enlarged on anticipatory bail because the place of occurrence does not belong to them. The case of the petitioner is not similar to the case of other co-accused persons as the place of occurrence belongs to the father of the petitioner.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby rejected.

However, if petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner preferably on the same day without being prejudiced by this order of rejection



considering the fact that there is no eyewitness of the
occurrence.

(Anjani Kumar Sharan, J)

S.KUMAR/-

U		T	
---	--	---	--

