

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54412 of 2022

Arising Out of PS. Case No.-573 Year-2018 Thana- BRAHMPUR District- Buxar

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BINAY PASWAN Son of Late Sri Bhagwan Paswan R/V- Brahampur, P.S-
Brahampur, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

with

CRIMINAL MISCELLANEOUS No. 57328 of 2022

Arising Out of PS. Case No.-573 Year-2018 Thana- BRAHMPUR District- Buxar

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SEWAI PASWAN @ SEWAI @ SONU PASWAN SON OF LATE SIPAHI
PASWAN R/O VILLAGE- BRAHAMPUR, P.S.- BRAHAMPUR, DISTT.-
BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 54412 of 2022)

For the Petitioner/s : Mr. Surendra Kumar Singh

For the Opposite Party/s : Mr. Abhay Kumar

(In CRIMINAL MISCELLANEOUS No. 57328 of 2022)

For the Petitioner/s : Mr. Surendra Kumar Singh

For the Opposite Party/s : Mr. Abhay Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-02-2023 Heard the parties.

As both these bail applications have cropped up from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.

The petitioners apprehend their arrest in connection with



Brahampur P.S. Case No.573 of 2018, registered for the offence punishable under sections 363, 366(A) of the Indian Penal Code.

The allegation against the petitioners is that they are involved in the kidnapping of the daughter of informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. He further submits that the victim has not supported the prosecution case in her statement recorded u/s 164 Cr.PC. Petitioner Binay Paswan has no criminal antecedent and petitioner Sewai Paswan has one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the petitioners are also involved in the present case.

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 petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.



Accordingly, these applications are dismissed.

However, if the petitioners surrender 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, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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