

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67947 of 2022

Arising Out of PS. Case No.-93 Year-2021 Thana- IMADPUR District- Bhojpur

=====

SUMAN PASWAN @ SUMAN KUMAR Son of Chotak Paswan @ Chhotan
Ram Resident of Village - Rajpur, P.S.- Imadpur, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Rajeev Kumar No.2, Advocate
		Mr. Raju Kumar Singh, Advocate
		Mr. Bhubneshwar Mahto, Advocate
For the Opposite Party/s	:	Mr. Ram Anurag Singh, Advocate

=====

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 26-04-2023 Heard learned counsel for the parties.

2. The petitioner is apprehending arrest in connection with Imadpur P.S. Case No. 93 of 2021 dated 19.07.2021, for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 353, 427 and 379 of the Indian Penal Code.

2. Learned counsel for the petitioner has invited attention to the order passed by a co-ordinate Bench of this Court granting anticipatory bail to the co-accused, Kamlesh Paswan vide Criminal Miscellaneous No. 22550 of 2022 and learned counsel submits that the case of the petitioner is identical to that of the co-accused Kamlesh Paswan and he should be granted anticipatory bail. However, this Court finds



that the case of the petitioner is distinguishable to that of co-accused Kamlesh Paswan. The petitioner is one of the 10 accused who have assaulted the patrolling party causing injuries to them while the co-accused Kamlesh Paswan is in the category of those other persons who have been named in the FIR to have tried to stop the other supporting police personnel to reach to the site.

3. Learned APP opposes the prayer of anticipatory bail of the petitioner.

4. In view thereof, there being distinction, I am not inclined to grant anticipatory bail to the above named petitioner, more so, as it would amount to encouraging such kind of person who take the law in their own hand and also attack the police officials to perform their duties.

5. As such, the prayer for anticipatory bail of the petitioner is rejected.

(Sanjeev Prakash Sharma, J)

Ashwini/-
Item No.73

U			
---	--	--	--

