

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72053 of 2022

Arising Out of PS. Case No.-251 Year-2022 Thana- RAJPUR District- Buxar

UPENDRA PASWAN Son of Raju Paswan R/V- Dehri, P.S- Rajpur, Dist-
Buxar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Rajpur P.S. Case No. 251/2022 registered for the offences punishable under Sections 399, 402, 353, 307 of the Indian Penal Code and 25(1-b)a, 26, 35, 27 of the Arms Act. He has four criminal antecedents as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that while he received secret information that near Shiv Mandir in Sangraon Yadav Dera some criminal type persons lashed with illegal weapon are making planning of loot and dacoity, he lodged a sanha of the information. When he along with other police party reached near the Dera, they saw that five persons standing with motorcycle and on seeing police team started firing on the police team. Police party also started firing, in the meantime, nearby villagers assembled



there and all the miscreants were arrested but one of them fled away by firing. On inquiry, they disclosed the name of the person who fled away as Upendra Paswan (the petitioner). On search, arms and cartridges were recovered from the possession of the apprehended accused.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that petitioner has no concern with the seized arms, cartridges and motorcycle.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the nature of allegations showing that this petitioner is said to be one amongst others who had been involved in firing upon the police party, the petitioner though fled away but has got four criminal antecedents, in the circumstances, this Court is not inclined to release the petitioner on anticipatory bail.

Prayer for anticipatory bail of the petitioner is refused.

This application is dismissed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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