

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11976 of 2024

Arising Out of PS. Case No.-157 Year-2023 Thana- ROSHANGANJ District- Gaya

PREM PASWAN SON OF LATE RAMPRIT PASWAN R/O-HARANKEL
TOLA PANCHAM TAND, P.S.-IMAMGANJ, DISTT.-GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.S. Jamil Akhter, Adv.

For the Opposite Party/s : Mr.Jai Narain Thakur, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Roshanganj (Bankey Bazar) P.S. Case No. 157 of 2023 registered for the offences punishable under Sections 147, 148, 149, 341, 342, 427, 436, 384, 385, 120(B), 379 of the Indian Penal Code and Section 27 of Arms Act.

3. The prosecution case, in brief, is that on 01.06.2023 at about 11:30 A.M., the accused persons along with this petitioner set fire on Haiwa bearing registration No. BR-02P-9915 and damaged the machine with *lathi-danda*. Some of the co-accused demanded Rs. 1000 per vehicle for loading and also opened fire.



4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and he has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no eye witness in the present case. The petitioner has been made accused in the present case merely on suspicion. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that as per the FIR, it appears that it is the case of sand excavation at Baluaghat. He further submits that there is serious allegation against the petitioner to set fire on the said Haiwa. Hence, he does not deserve the privilege of anticipatory bail.

6. Considering the facts and circumstances of the case as well as the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks



regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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