

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26631 of 2024

Arising Out of PS. Case No.-111 Year-2020 Thana- PHENHARA District- East Champaran

1. Binod Paswan S/o- Late Yogindra Paswan Village- Parsauni Kapur Ps- Patahi Dist- East Champaran
2. Hari Nandan Paswan son of Gagan Paswan Village Ps- Phenhara Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore@ Kundan Kumar, Adv
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-07-2024 Heard the parties.

2. The petitioner apprehends their arrest in connection with Phenhara P.S. Case No. 111 of 2020 for the offence registered under Sections 448, 386, 504, 323, 379, 429 of the Indian Penal Code and section 27 of the Arms Act lodged on 03.12.2020 by the informant, Rakesh Kumar Prakash.

3. As per the prosecution story, the accused persons forming an unlawful assembly armed with weapons abused and assaulted the informant side. The allegation is also of destroying the thatched house as also opening fire which fortunately did not hit anyone. The last allegation is of snatching of gold chain worth Rs. 55,000.



4. Though, the learned counsel for the petitioner tried to make out a case that due to title suit pending, they have been made accused.

5. Learned APP pointed out that these petitioners are named in the complaint/FIR which was lodged in the year 2020, they took four years to approach the Court.

5. Taking into account the aforesaid fact that the petitioners despite the rejection of their anticipatory bail on 09.06.2022 by the learned Sessions Judge, East Champaram Motihari took two years to prefer anticipatory bail, it would be appropriate that they seek bail.

6. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

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