

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47077 of 2024

Arising Out of PS. Case No.-687 Year-2023 Thana- SABAUR District- Bhagalpur

Raja Paswan SON OF KULDEEP PASWAN @ KULDIP PASWAN
VILLAGE- BARHARI PS- GORADIH, DIST- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-08-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sabour P.S. Case No. 687 of 2023 registered for the
offences punishable under Sections 341, 323, 307, 353, 332, 333
and 34 of the Indian Penal Code and Sections 25(1-B)a, 26, 35
of Arms Act.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that he received a secret information on 31-12-2023 that
some miscreants are travelling in a Scorpio vehicle and are
carrying arms for the purposes of committing an occurrence,
accordingly based on the said information, the vehicle was
intercepted by police where miscreants opened fire, thereafter



two miscreants were apprehended, who disclosed their names as Kaju, Yadav and Rajesh Yadav while others managed to flee, further two live cartridges were recovered from the possession of Kaju Yadav and one country-made pistol along with two live cartridges were recovered from the possession of Rajesh Yadav and the name of the petitioner transpired in the confessional statement of the apprehended accused.

4. The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the instant case being driver of the seized vehicle. It is also submitted that the seized vehicle is registered in the name of Janardhan Das and the petitioner being his driver on the fateful day was driving the car when it was intercepted by some unknown criminal who entered the vehicle and asked him to chase the truck when police intercepted. It is thus submitted that the petitioner is innocent and has been falsely implicated in the instant case.

5. The learned APP vehemently opposes the anticipatory bail application and submits that it absolutely does not stand to reason that if the petitioner was innocent and was driver of the vehicle employed by Janardhan Das then why he fled from the place of occurrence, which amply demonstrates



about his association with the apprehended accused. It is also submitted that had the petitioner been innocent in that event he himself would have come before the police disclosing the entire fact but then the same was not done.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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