

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48668 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- SANDESH District- Bhojpur

1. Meghnath Paswan @ Megnath Paswan S/o Late Bhanu Paswan
2. Indu Miyan @ Idu Miyan S/o Rahman Mikyan
3. Gorakh Chaudhary @ Gorakh Kumar Chaudhary S/o Late Saaldeen Chaudhary @ Sakaldeep Chaudhary, all are R/o vill - Kazichak, P.S. - Sandesh, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 11-09-2024 Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 504 and 307 of the Indian Penal Code in connection with Sandesh P.S. Case No.47 of 2024.

3. The learned counsel for the petitioners submit that petitioner no.1 has antecedent of one case and petitioner no.2 and 3 are persons with clean antecedent and the informant alleges that on 20.02.2024 he was going to Sandesh Bazar from



his village and when he reached near sand Ghat when 15-20 accused persons including the petitioners intercepted him and started assaulting him, when he fell on the ground thereafter, Megnath, Krishna, Raj Deo, Gorakh continued assaulting him and considering that informant is dead everyone fled.

4. The learned counsel for the petitioners submit that petitioners have been falsely implicated in the instant case by the informant. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no reason for the occurrence has been disclosed by the informant in the FIR. It is also submitted that wife of Krishna Paswan, namely, Rinki Devi had earlier instituted Sandesh P.S. Case No.49 of 2024 against the informant and his side. It is submitted that it may be a possibility that since wife of Krishna Paswan i.e. Rinki Devi instituted an FIR against the informant and his side, as such the petitioners came to be implicated.

5. The learned APP opposes the anticipatory bail application and submits that from perusal of the order impugned, it would manifest that the learned Additional Sessions Judge-VIII, while rejecting the bail application has considered the injury suffered by the injured in detail and from perusal of the same it would manifest that the injured suffered



grievous injury on vital part of the body.

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

(Satyavrat Verma, J)

Prakash Narayan

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