

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52546 of 2024

Arising Out of PS. Case No.-331 Year-2023 Thana- SAMASTIPUR District- Samastipur

Chandan Paswan @ Chandan Kumar Paswan @ Chandan Kumar son of Late
Ramasheesh Paswan Resident of Village- Kishupur PS- Town Dist-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Samastipur (Town) P.S. Case No.331 of
2023, registered for the offences punishable under Sections
341/323/325/307/504/506/34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged
against five named accused persons including the present
petitioner. The informant has alleged that the petitioner along
with others has called to the son of the informant when his
son not returned then informant visited there why his son not



returned then he had seen that the petitioner along with others were assaulting his son.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He submits that as per the FIR, the date of occurrence is 19.10.2023 but alleged FIR has been lodged only on 04.12.2023 i.e., near about 18 days. Counsel submits that there is no plausible explanation has been made. Counsel further submits that there are three antecedents of the petitioner in which he is on bail. Counsel submits that he is ready to fulfill all the conditions whatsoever shall be imposed.

5. Learned counsel for the State opposes the prayer of anticipatory bail and submits that in the FIR the cause of delay in filing the FIR has been inserted clearly. Counsel also submits that antecedent of the petitioner is not clean. There are three criminal cases pending against him in which two cases are of Section 307 of the Indian Penal Code.

6. Considering the facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail is refused. However, in the event of surrender of the petitioner within four weeks from today, the prayer for regular bail shall be



considered without being prejudiced by the order of this
Court.

(Dr. Anshuman, J)

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