

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67502 of 2023

Arising Out of PS. Case No.-83 Year-2023 Thana- SARE District- Nalanda

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1. Arya Kumar @ Obas Kumar Son Of Late Karu Paswan Resident Of Village - Jangipur, P.S.- Sare, District - Nalanda.
 2. Ajay Paswan @ Ajay Kumar Son Of Gopal Paswan Resident Of Village - Jangipur, P.S.- Sare, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar No.1
For the Opposite Party/s	:	Mr. Ashok Kumar Singh
For the Informant	:	Mr. Raj Kishor Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 19-03-2024 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in Sare P.S.
Case No. 83 of 2023 registered for the offences punishable
under Sections 147, 149, 341, 323, 307, 448, 504, 506 of the
Indian Penal Code.

3. As per the prosecution case, the petitioners along
with other co-accused persons are said to have assaulted the
informant.

4. Learned counsel for the petitioners submits that
the petitioners are innocent and have falsely been implicated in



this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the injury report has not supported the prosecution case. The petitioners have no criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for anticipatory bail and submitted that the informant has sustained grievous injury. Hence, they do not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the nature of the injury, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

7. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order, considering the fact that the petitioners have no criminal antecedent.

(Anjani Kumar Sharan, J)

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