

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75884 of 2024

Arising Out of PS. Case No.-50 Year-2024 Thana- BEGUSARAI TOWN District- Begusarai

1. Sonu Paswan @ Kumar Sanu S/O Late Pramod Paswan Resident of Village- Pokhariya, Ward No. 37, P.S.- Begusarai Town, District- Begusarai.
2. Ramu Paswan S/O Late Shivpujan Paswan Resident of Village- Pokhariya, Ward No. 37, P.S.- Begusarai Town, District- Begusarai.
3. Rahul Paswan @ Rahul Kumar S/O Late Pramod Paswan Resident of Village- Pokhariya, Ward No. 37, P.S.- Begusarai Town, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Anand, Adv.

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 12-11-2024 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Town P.S. Case No. 50 of 2024 dated 25.01.2024, lodged under Sections 341, 323, 386, 379, 504, 34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against five named accused persons including the present petitioners against whom there is an allegation that they have demanded ransom money from the informant.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that the present case has been filed by filing



the complaint and he has raised the plea that the signature of the complainant is not present on the affidavit and only signature of counsel for the complainant is there. Counsel further submits that ingredients of section 386 of the I.P.C. is also not there and there is general and omnibus allegation against all the accused persons including the petitioners and hence, it is vague in nature.

5. Learned Counsel for the petitioners further submits that the petitioners are young and they are unnecessarily been made accused in this case only due to dirty village politics. Counsel further submits that the criminal antecedent of petitioner nos.1 and 2 are clean but, criminal antecedent of petitioner no.3 is not clean as there is one criminal case pending against him in which he is on bail.

6. Learned APP for the State on the other hand opposes the prayer for bail of the petitioners and submits that there is specific allegation against the petitioners in which demand of ransom money has been made though, it has not been delivered. Counsel further submits that the criminal antecedent of petitioner nos.1 and 2 are clean but, criminal antecedent of petitioner no.3 is not clean.

7. As such, considering the aforesaid facts and



circumstances, let the above named petitioner nos.1 and 2 be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Begusarai in connection with Town P.S. Case No. 50 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

8. So far as the case of petitioner no.3 is concerned, this Court is not inclined to grant bail to him. Accordingly, the prayer for anticipatory bail of the petitioner no.3 is hereby rejected with liberty that if he surrenders before the Trial Court within a period of 4 weeks from today, then, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner no.3 has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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