

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83329 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- JAGDISHPUR District- Bhagalpur

1. Devendra Paswan S/o- Late Narayan Paswan Resident Of Village- Chandpur, Ps- Jagdishpur, Dist- Bhagalpur
2. Ranjan Kumar Paswan @ Ranjan Kumar S/o- Late Narayan Paswan Resident Of Village- Chandpur, PS- Jagdishpur, Dist- Bhagalpur
3. Pandav Paswan S/o- Late Narayan Paswan Resident Of Village- Chandpur, Ps- Jagdishpur, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-12-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Jagdishpur P.S.Case no.20 of 2024 registered for the offence punishable under sections 307, 342, 323 and 34 of the Indian Penal Code.

3. As per allegation in the F.I.R, the informant states that she received information about her son having been assaulted and lying in the lane. He was taken to the hospital from where he was referred to the Patna. The informant further states that on regaining consciousness her son disclosed that the



petitioner no.1 took him home and locked him up and thereafter he was assaulted by the petitioner nos. 2 and 3. Thinking him to have died, in a unconscious state he was thrown out in the lane. The informant states that her son is in a critical condition as a result of assault by the accused.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. The informant is admittedly not an eye witness to the occurrence and there is inordinate delay of 10 days in lodging of the FIR. The petitioners had no enmity with the victim and there is no reason for them to have committed the offence. In fact the mother of the victim took him to a hospital in Siligauri but the matter was neither reported while he was in Bhagalpur nor in the State of West Bengal. The petitioners undertake to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State who referring to the order of the learned Court below submits that not only the petitioners are named in the FIR but there is a direct allegation on them of brutal assault on son of the informant who subsequently died.

6. Having heard learned counsel for the parties and taking into consideration the allegations of assault against the



three petitioners having been supported by the injured son of the informant who subsequently died, the Court is not inclined to enlarge the petitioners on bail and the application is rejected.

7. The petitioners are directed to surrender in the learned Court below within a period of four weeks.

(Partha Sarthy, J)

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