

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2863 of 2025

Arising Out of PS. Case No.-171 Year-2024 Thana- ASHTHAWAN District- Nalanda

Shankar Paswan @ Shivsankar Paswan Son of Shivalak Paswan Resident of
Village - Chulhari, Post Office - Noawan, Police Station - Asthawan, District -
Nalanda (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-02-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in case registered for the offences punishable under Sections 126(2), 127(2), 191(2), 190, 221, 222, 223, 115(2), 117(2), 109, 121(1), 121(2), 132, 324(4), 352, 351(2), 61(2) of the Bharatiya Nyaya Sanhita and Section 3 of the Damage of Public Property Act.

3. As per prosecution case, on the alleged date and time of occurrence, all the F.I.R. named accused persons including 200-300 unknown persons blocked the main road of Noawa and when police went to pacify the matter, all the accused persons became violent and thereafter abused and started pelting stones upon the police party and assaulted police personnel with brick as a result of which some of the police



personnel sustained injuries.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is not named in the F.I.R.. Specific accusation of assault is against F.I.R. named accused persons. Allegation against the petitioner is general and omnibus and he has been made accused only on suspicion. It is further submitted that similarly situated co-accused persons have already been granted anticipatory bail by this Hon'ble Court *vide* orders dated 27.01.2025 and 29.01.2025 passed in Cr. Misc. No. 83368 of 2024 and Cr. Misc. No. 89655 of 2024 simultaneously.

5. Learned A.P.P. for the State vehemently opposed the bail application and submitted that petitioner along with other accused persons attacked police party as a result of which they sustained injuries and he has got two criminal antecedents.

6. Considering the nature of accusation and criminal antecedents, prayer for anticipatory bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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