

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5132 of 2025

Arising Out of PS. Case No.-81 Year-2024 Thana- BANNUBAGICHA District- Lakhisarai

1. Kanhaiya Kumar Paswan @ Vicky Kumar Paswan @ Bikki Kumar S/O Lalan Paswan Resident of village- Singhaul, Post- Manuapur, PS- Bannu Bagicha, District- Lakhisarai, Bihar
2. Santosh Kumar Paswan @ Santosh Kumar S/O Shivan Paswan Resident of village- Singhaul, Post- Manuapur, PS- Bannu Bagicha, District- Lakhisarai, Bihar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indradeo Yadav, Advocate
For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 12-05-2025 Heard the parties.

2. The petitioners are apprehending arrest in connection with Bannu Bagicha P.S. Case No. 81 of 2024 instituted under Sections 334(1), 305 of Bhartiya Nyaya Sanhita, 2023 lodged on 28.10.2024 by the informant, Kamlesh Kumar.

3. As per the prosecution story, the informant alleged that the accused-petitioners were found entering home and tried to steal cash/ornaments. As they raised alarm, they jumped through window and ran away. This led to the FIR.

4. Learned counsel for the petitioners submit that they had enmity with the informant, during 'Saraswati Pooja', some



scuffle took place, this led to their assault and implication. They have no criminal antecedent.

5. learned APP has taken this Court to the different paragraphs of the case diary to show that the witnesses have supported that these two petitioners had entered the house of the informant, the allegation is that they jumped and may have suffered injuries.

6. The allegation is there, though the two petitioners have no criminal antecedent that cannot be a ground for grant of anticipatory bail. The prayer for bail can be taken into consideration only when the petitioners surrender and seek bail. The allegation is on record, certainly, relief cannot be extended to them.

7. The anticipatory bail application stands rejected.

8. If the petitioners surrender within a period of four weeks from today, the court concerned shall take up the matter and dispose it of preferably on the same day.

(Rajiv Roy, J)

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