

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24336 of 2025

Arising Out of PS. Case No.-225 Year-2024 Thana- SAMASTIPUR District- Samastipur

Mahesh Paswan S/o Gopal Paswan R/o vill - Gopalpur, Rampura, ward no.
10, P.S.- Kalyanpur, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey

For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 02-05-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Samastipur Town Police Station Case No. 225 of 2024, disclosing offences under Sections 309(6) of the BNS, 2023 and Section 27 of the Arms Act.
3. As per the prosecution case, on 25.10.2024, Raj Kumar Gupta alleged that three unknown persons, aided by his staff member Suraj Kumar, entered his house to commit robbery. One of them was armed. When obstructed, they fled away and during the commotion, another staff member, Amresh Rai, was shot.
4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner



alleged. There is nothing specific against the petitioner in the present case. Petitioner is not named in the FIR and he has been made accused on the basis of confessional statement of co-accused Suraj Kumar who is having inimical terms with the petitioner. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused namely Suraj Kumar has been granted regular bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 13513 of 2025 vide order dated 19.03.2025.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of offence and the fact that petitioner's name has been disclosed by Suraj Kumar who gave access to the miscreants in the house/shop, investigation is still going on, accordingly, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

HarshPandey/-

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