

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68308 of 2024

Arising Out of PS. Case No.-356 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

1. Ashok Paswan Son of Late Saryug Paswan R/v - Homelesh chauk, khabra road , P. s. - Kazimohamadpur, district -Muzaffarpur
2. Ram Babu Paswan Son of Ashok Paswan R/v - Homelesh chauk, khabra road , P. s. - Kazimohamadpur, District -Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

7 18-01-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bochacha P.S Case No. 356 of 2023 instituted for the offence punishable under Sections 363 and 364/34 of the Indian Penal Code.

3. As per allegation in the FIR, it is a case of abduction of the wife of the informant.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. He next submits that petitioners are named in the FIR and they have got three criminal antecedents as stated in para-3 of the petition. He



next submits that the informant is not an eye witness of the alleged occurrence.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioners and submits that granting anticipatory bail to the petitioners may affect the investigation of this case.

6. From perusal of the F.I.R., seizure list and impugned order dated 24.06.2024, it appears that petitioners are named in the FIR and the petitioners have got three criminal antecedents and all three cases related to Section 354 of the IPC and the petitioners have forcefully for committing the sexual assault upon the victim as also threatening to kill the victim, so I am not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, prayer for anticipatory bail of the petitioners is hereby rejected.

8. If the petitioners surrender before the trial Court, the trial Court is directed to pass an order without being prejudiced by this order.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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