

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62396 of 2025

Arising Out of PS. Case No.-51 Year-2024 Thana- GAIGHAT District- Muzaffarpur

=====

Ankit Kumar @ Bittu Paswan S/O Bhola Paswan R/O Village- Loma, P.S.-
Gaighat, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 12-09-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Gaighat P.S. Case no.51 of 2024 registered under Sections
302, 120B and 420 of the Indian Penal Code.

3. The present case arises out of a complaint which
was sent for institution of an FIR under Section 156(3)Cr.P.C.,
wherein it has been alleged that the son of the informant was
taken along with them by the present petitioner and co-accused
Veeru Paswan whereafter, he did not return and subsequently,
the dead body of the deceased had been found.

4. The learned counsel for the petitioner has
submitted that the occurrence is said to have taken place on
23.10.2023 and an FIR was registered against unknown under



Sections 279 and 304-A of the IPC on 03.11.2023 and subsequently, the present case came to be registered on 21.02.2024 on the basis of the complaint petition dated 12.01.2024. It is further submitted that the present complaint is an afterthought to implicate the petitioner since in the earlier case a final form had been submitted showing it a mistake of fact. It has also been contended that as a matter of fact, there is no eye witness to the occurrence and only on account of the fact that the petitioner and the co-accused had called the son of the informant outside the Durga Puja fair that they have been made an accused in the present case. Barring the said circumstance, there is no other circumstance to connect the petitioner to the present case. Further submission is that similarly situated co-accused person Roshan @ Veeru Paswan has already granted in the privilege of anticipatory bail by a Co-ordinate of this court vide order dated 16.04.2025 passed in Cr. Misc. No. 18319 of 2025.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground of the seriousness of the offence.

6. Taking into the consideration the facts and circumstances of the case and also considering the inordinate



delay in filing of the present FIR, which is second FIR with respect to the offence concerned and further considering that the similarly situated co-accused has already been granted anticipatory bail, let the above named petitioner, who has no criminal antecedent, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Gaighat P.S. Case no. 51 of 2024, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

krishnakant/-

U		T	
---	--	---	--

