

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80927 of 2024

Arising Out of PS. Case No.-272 Year-2023 Thana- GAURICHAK District- Patna

Prasen Paswan @ Bhutta Paswan S/o Mr. Vijay Paswan Resident Of Village-
Mahmada, Ps- Gaurichak, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Satish Kumar Sinha, Advocate
For the State : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-03-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 436, 447, 448, 364, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, on suspicion that the brother of informant has stolen a mobile phone, all the accused persons named in the F.I.R., including this petitioner, armed with weapons, assaulted brother of informant and thereafter, set the house on fire.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner is quite innocent and has committed no offence. Petitioner has falsely been implicated in this case due to land dispute. As a matter of fact, on



07.06.2023, mother of the informant herself filed a petition before the C.O., Rupaspur, to the effect that on 06.05.2023 at about 2 AM, the house of the informant burnt due to electric short circuit, for which she sought compensation and after two days of lodging the aforesaid petition, this instant F.I.R. has been lodged by the informant against this petitioner and others, which itself falsifies the entire prosecution case. It is further submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 01.07.2024 passed in Cr. Misc. No. 33297 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation and claim based on parity, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Patna City in



connection with Gaurichak P.S. Case No.272 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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