

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16501 of 2026

Arising Out of PS. Case No.-21 Year-2025 Thana- BHAGWANPUR District- Vaishali

Shivnath Paswan Son of Ram Prit Paswan R/o Rusulpur Thrki, Turki, P.S. -
Bhagwanpur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-07-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 316(2),
318(4) and 3(5) of the BNS.

3. Learned A.P.P. for the State, at the outset, submits
that from perusal of the pleading made in the anticipatory bail
application, it would manifest that petitioner was given notice
under Section 35(3) BNSS as the FIR was instituted with
respect to the offences carrying punishment of 7 years and less
but then the petitioner did not cooperate in the investigation, it is
also submitted that since notice under Section 35(3) BNSS was
given to the petitioner, it amply reflects that police did not
intend to arrest the petitioner rather wanted the case to be



investigated, it is thus submitted that a person despite receiving notice chooses not to cooperate in the investigation whether he is entitled for anticipatory bail.

4. Learned counsel appearing on behalf of the petitioner is not in a position to rebut the submissions made by the learned A.P.P. that petitioner received notice under Section 35(3) BNSS and thereafter did not cooperate with the police in the investigation.

5. After hearing learned counsel for the parties and taking into consideration the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

6. Hence, the prayer for bail is rejected.

(Satyavrat Verma, J)

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