

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1759 of 2020

Arising Out of PS. Case No.-70 Year-2019 Thana- NARPATGANJ District- Araria

1. Suren Paswan Son of Joganand Paswan Resident of Village - Gargamma, P.S.- Narpatganj, Distt - Araria, Bihar.
2. Dhiren Paswan Son of Joganand Paswan Resident of Village - Gargamma, P.S.- Narpatganj, Distt - Araria, Bihar.
3. Monu Paswan Son of Pintu Paswan Resident of Village - Gargamma, P.S.- Narpatganj, Distt - Araria, Bihar.
4. Anil Paswan Son of Late Sadanand Paswan Resident of Village - Gargamma, P.S.- Narpatganj, Distt - Araria, Bihar.
5. Sunil Paswan Son of Late Sadanand Paswan Resident of Village - Gargamma, P.S.- Narpatganj, Distt - Araria, Bihar.
6. Pankaj Paswan Son of Late Sadanand Paswan Resident of Village - Gargamma, P.S.- Narpatganj, Distt - Araria, Bihar.
7. Sudhir Paswan Son of Vikram Paswan Resident of Village - Gargamma, P.S.- Narpatganj, Distt - Araria, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha
For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 448, 341, 323, 354B, 379, 427 and 504/34 of the Indian Penal Code.

The prosecution case as per the written report of Dharmdeo Mandal submitted to the Station House Officer of Narpatganj Police Station is to the effect that on 01.02.2019 at 10.30 P.M., all the seven petitioners entered into the courtyard



of the informant and started abusing him and on protest being made, they assaulted the informant, informant's wife and his daughter-in-law and took away cash amount of Rs.50,000/-, silver and gold jewellery and clothes from the box.

It is submitted by learned counsel for the petitioners that in the background of an earlier land dispute, the accusation has been levelled and Araria (SC/ST) P.S. Case No. 22 of 2019 has been lodged by Sudhni Devi, the mother of petitioner no. 1 and as a retaliatory measure, the present case has been lodged at earlier point of time. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

Considering the genesis of the occurrence, the lodging of the FIR after 22 hours of the alleged occurrence and accusation being omnibus and general, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of



Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No. 70 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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