

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23997 of 2020

Arising Out of PS. Case No.-232 Year-2018 Thana- MAHISHI District- Saharsa

1. RAMBILASH PASWAN Son of Nathuni Paswan Resident of Village - Karhara, Police Station - Mahishi, District - Saharsa.
2. Phucho Paswan Son of Nathuni Paswan Resident of Village - Karhara, Police Station - Mahishi, District - Saharsa.
3. Satrugghan Paswan Son of Nathuni Paswan Resident of Village - Karhara, Police Station - Mahishi, District - Saharsa.
4. Lalo Paswan Son of Late Thithar Paswan Resident of Village - Karhara, Police Station - Mahishi, District - Saharsa.
5. Nandan Paswan Son of Phucho Paswan Resident of Village - Karhara, Police Station - Mahishi, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-10-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and Shri Dilip Kumar No.1, the learned A.P.P. appearing for the State.

The petitioners apprehend their arrest in connection with Mahishi P.S. Case No. 232 of 2018 for the offence



punishable under Sections 379, 354(a), 504 and other allied sections of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein having assaulted the informant and the members of the prosecution party.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having a clean antecedent. It is further submitted that a general and omnibus allegation has been levelled against the petitioners herein and the injuries sustained by the injured persons have been found to be simple in nature.

The learned A.P.P. appearing for the State has vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that a general and omnibus allegation of assault has been levelled against the petitioners herein apart from the fact that the petitioners are having a clean antecedent and the injuries sustained by the injured persons have been found to be simple in nature, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.



Accordingly, in the event of arrest or surrender before the learned court below within a period of four weeks from today, the petitioners, above named, are directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Saharsa in connection with Mahishi Case No. 232 of 2018 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Mohit Kumar Shah, J)

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