

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71725 of 2019

Arising Out of PS. Case No.-123 Year-2018 Thana- BEGUSARAI TOWN District- Begusarai

1. Rama Paswan Son of Muneshwar Paswan, Resident of Mohalla- Bhajani tola, in front of gali of K.D. Agrawal, Gandhi Nagar, Purani Machhali Bazar, Ward No. 31, P.S.- Town, District- Begusarai.
2. Shyam Paswan Son of Muneshwar Paswan, Resident of Mohalla- Bhajani tola, in front of gali of K.D. Agrawal, Gandhi Nagar, Purani Machhali Bazar, Ward No. 31, P.S.- Town, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 07-07-2020 Heard learned counsel for the petitioners and learned
counsel for the State through Video Conferencing.

In this case, the petitioners are seeking anticipatory
bail in connection with Town P.S. Case No. 123 of 2018
registered for offence punishable under sections 341, 323, 307,
504, 379/34 of the Indian Penal Code.

The petitioners have criminal history. Allegation
has been made that the informant along with his friend, Deepak
Mahto was going to shop through the gate of Kabristan, in the
meantime, Sarwan Paswan, Rahul Paswan, Bhola Paswan @
Bhola Singh, Sunny Paswan, Rama Paswan, Shyam Paswan
have intercepted and demanded some money from them. When



they refused then all the accused persons started abusing the informant and his friend. Allegation has been made that Sarwan Paswan and Rahul Paswan assaulted with the butt of the pistol to Deepak Mahto and he was seriously injured, thereafter, he was carried to the hospital and in the meantime, they took out Rs.15,000/- from his pocket. While the informant was returning along with Deepak Mahto, they again surrounded the informant and started abusing and assaulting. Here allegation has been made against Sarwan Paswan and Rahul Paswan to have caused injury on the nose of the informant by the butt of the pistol and took out his golden chain as well as Rs. 8,000/-.

The learned counsel for the petitioners submits that in paragraphs 17, 18 and 19 of the case diary, Pankaj Paswan and Ramashish Paswan and Jashbant respectively have stated that dispute arose on account of exchange of colour and reason for lodging the present case. He further submits that there is no specific allegation against these petitioners.

Looking to the entire facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two



sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in connection with Town P.S. Case No. 123 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Shivaji Pandey, J)

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