

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10398 of 2020**

Arising Out of PS. Case No.-322 Year-2019 Thana- WAJIRGANJ District- Gaya

1. NITISH KUMAR Son of Ramchandra Paswan Resident of Village - Manjhauli, P.S.- Wazirganj, Distt - Gaya.
2. Ajanta Devi Wife of Arjun Paswan Resident of Village - Manjhauli, P.S.- Wazirganj, Distt - Gaya.
3. Bina Devi @ Veena Devi Wife of Balwant Paswan Resident of Village - Manjhauli, P.S.- Wazirganj, Distt - Gaya.
4. Sugiya Devi Wife of Pankaj Paswan Resident of Village - Manjhauli, P.S.- Wazirganj, Distt - Gaya.
5. Abhimanyu Kumar @ Ugresh Kumar Son of Arjun Paswan Resident of Village - Manjhauli, P.S.- Wazirganj, Distt - Gaya.
6. Fonu Kumar @ Abhinandan Kumar Son of Arjun Paswan Resident of Village - Manjhauli, P.S.- Wazirganj, Distt - Gaya.
7. Sonam Kumari D/o Arjun Paswan Resident of Village - Manjhauli, P.S.- Wazirganj, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manish Kumar No2  
For the Opposite Party/s : Mr. Nityanand Tiwary

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      08-02-2021      Learned counsel for the petitioners seeks permission of the Court to withdraw this application in respect of petitioner no. 1 as the petitioner no. 1 has been taken into judicial custody and as such the application has become infructuous.

Permission is accorded.

The application is dismissed as withdrawn in respect of petitioner no. 1.



Heard learned counsel for the petitioner and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 354, 379,, 307 and 302 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons, variously armed, assaulted the father of the informant due to which he sustained injury and later in course of treatment succumbed to the injury. The other family members were also assaulted by the accused persons.

It has been submitted on behalf of the petitioners that the petitioner nos. 2 to 7 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner no. 2 to 7. The petitioner nos. 2, 3, 4 and 7 are ladies. General and omnibus allegation has been made against the petitioner nos. 2 to 7. No specific overt act is alleged against the petitioner nos. 2 to 7. The main allegation of assault is against co-accused Pankaj Paswan and Balwant Kumar. There is no allegation of assault alleged against petitioner nos. 2 to 7.

On behalf of the State, it is submitted that the petitioner nos. 2 to 7 are named in the F.I.R.

Considering the aforesaid facts and circumstances,



let the petitioner nos. 2 to 7, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -1<sup>st</sup> Gaya, in connection with Wazirganj P.S. Case No. 322 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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