

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25068 of 2021

Arising Out of PS. Case No.-143 Year-2020 Thana- KHAJAUJI District- Madhubani

1. GANESH PASWAN Son of Late Ram Bilash Resident of Village- Palimohan, P.S.- Khajauli, District- Madhubani.
2. Jibachh Paswan @ Jivan Paswan Son of Raghuveer Paswan Resident of Village- Palimohan, P.S.- Khajauli, District- Madhubani.
3. Bikash Kumar Chaoudhary @ Vikash Kumar Chaudhary @ Vikau Chaudhary Son of Late Kishori Chaoudhary Resident of Village- Palimohan, P.S.- Khajauli, District- Madhubani.
4. Ram Sogarath Sah @ Ram Swarth Chaudhary Son of Mishri Chaudhary Resident of Village- Palimohan, P.S.- Khajauli, District- Madhubani.
5. Kashi Nath Thakur Son of Saryug Thakur Resident of Village- Palimohan, P.S.- Khajauli, District- Madhubani.
6. Ram Lal Sah @ Ram Lal Sahu Son of Bhola Sahu Resident of Village- Palimohan, P.S.- Khajauli, District- Madhubani.
7. Anil Kumar Sah @ Anil Sahu Son of Vinod Shau Resident of Village- Palimohan, P.S.- Khajauli, District- Madhubani.
8. Bipin Sah @ Bipin Kumar Sah @ Bipin Sahu Son of Yogendra Sahu Resident of Village- Palimohan, P.S.- Khajauli, District- Madhubani.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ravi Prakash
For the Opposite Party/s :	Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-12-2021 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

Learned counsel for the petitioners undertakes to
remove the defects, as pointed out by the office, within four
weeks. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the



Bench.

At the very outset, learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.1-Ganesh Paswan submitting that during pendency of this application, petitioner no.1 has been arrested.

Permission is granted.

Accordingly, this application is dismissed as withdrawn in respect of petitioner no.1.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 337, 307 & 504/34 of the Indian Penal Code.

The accusation against the petitioners is that they assaulted the informant under the leadership of Shushil Yadav by means of lathi, danda and bricks as a result of which he sustained severe injury.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The specific allegation is against co-accused Shushil Yadav. It is further submitted that from perusal of the injury report it appears that only one injury



is grievous in nature and rest are simple in nature. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Khajauli P.S. Case No.143 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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