

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23178 of 2021

Arising Out of PS. Case No.-90 Year-2020 Thana- PAKRIDAYAL District- East Champaran

1. Akhilesh Paswan S/o Late Nageshwar Paswan R/o village- Sishani, P.S.- Pakaridayal, District- East Champaran
2. Ash Narayan Paswan S/o Late Nageshwar Paswan R/o village- Sishani, P.S.- Pakaridayal, District- East Champaran
3. Bhagya Narayan Paswan S/o Late Nageshwar Paswan R/o village- Sishani, P.S.- Pakaridayal, District- East Champaran
4. Sunil Paswan S/o Ash Narayan Paswan R/o village- Sishani, P.S.- Pakaridayal, District- East Champaran
5. Niranjana Paswan S/o Ash Narayan Paswan R/o village- Sishani, P.S.- Pakaridayal, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Anil Kumar, Advocate
For the Opposite Party : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 23-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Pakaridayal P.S. Case No.90 of 2020 registered for offences under Sections 147, 148, 149, 186, 354, 353, 332, 333, 188, 269, 270 and 307 of the Indian Penal Code; Section 51 of the Disaster Management Act, 2005 and Section 3 of the Epidemic Disease Act, 1897.

At the very outset, learned counsel for the petitioners



submits that petitioner no. 3 and 4, namely, Bhagya Narayan Paswan and Sunil Paswan have been arrested during the pendency of this application. Hence, he prays for withdrawal of the application.

Prayer is allowed. The application for anticipatory bail is dismissed as withdrawn so far as petitioner no.3 and 4, namely, Bhagya Narayan Paswan and Sunil Paswan are concerned.

So far as petitioner nos. 1, 2 and 5, namely, Akhilesh Paswan, Ash Narayan Paswan and Niranjana Paswan are concerned, learned counsel for the petitioners at the very beginning has offered to pay Rs.5000/- (Rupees five thousand) each in the Victim Compensation Fund.

Considering the allegations levelled against the petitioners which are trivial in nature, their application for anticipatory bail is allowed.

Accordingly, let petitioner nos. 1, 2 and 5, namely, Akhilesh Paswan, Ash Narayan Paswan and Niranjana Paswan, in the event of their arrest or surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Sri R.K. Sonu, learned



Judicial Magistrate, 1st Class, Sadar, East Champaran at Motihari in connection with Pakaridayal P.S. Case No.90 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

At the time of furnishing bail bonds and their acceptance, the petitioners will produce the certificate/receipt showing deposit of Rs.5000/- (Rupees five thousand) each in the Victim Compensation Fund before the court below. In case of default in deposit of Rs.5000/-, the anticipatory bail granted to the petitioners shall stand automatically cancelled.

(Sandeep Kumar, J)

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