

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31764 of 2021

Arising Out of PS. Case No.-584 Year-2020 Thana- MANER District- Patna

1. SHAMBHU PASWAN S/O Ram Laddu Paswan Resident of Village Ahiyapur, Police Station - Maner, District - Patna.
2. Prakash Paswan @ Prakash Kumar S/O Sri Bhusan Paswan Resident of Village Ahiyapur, Police Station - Maner, District - Patna.
3. Sudama Paswan @ Rudal Paswan Son of Late Ram Laddu Paswan Resident of Village Ahiyapur, Police Station - Maner, District - Patna.
4. Bhusan Paswan Son of Late Ram Laddu Paswan Resident of Village Ahiyapur, Police Station - Maner, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Usha Kumari 1

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-10-2021 By order dated 23-09-2021, the prayer for bail of petitioner Nos. 2 & 4 has already been dismissed as withdrawn.

Hence, this order confines to petitioner Nos. 1 & 3 only.

Heard learned counsel for the petitioner Nos. 1 & 3 and the State through virtual mode.

Learned counsel for the petitioner Nos. 1 & 3 is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioner Nos. 1 & 3 are apprehending their arrest in a case registered under Sections 341, 323, 452, 354, 307, 379, 504/34 of the Indian Penal Code.



Prosecution case in short is that the accused persons having entered the house of the informant by jumping boundary wall, committed theft. The informant woke up and made protest, as a result of which, he was assaulted by accused persons.

It has been submitted on behalf of the petitioner Nos. 1 & 3 that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against them. General and omnibus allegation has been made against the petitioner Nos. 1 & 3. The specific allegation of assault is against co-accused Praveen Kumar.

On behalf of the State, it is submitted that the petitioner Nos. 1 & 3 are not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner Nos. 1 & 3, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of learned Judicial Magistrate-Ist Class, Danapur in connection with Maner P.S. Case No. 584 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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