

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27142 of 2020**

Arising Out of PS. Case No.-392 Year-2019 Thana- JOGAPATTI District- West Champaran

---

1. Shanti Devi, aged about 45 years, Female, W/O Harishankar Paswan
2. Harishankar Paswan, aged about 50 years, Male, S/o Late Bishwanath Paswan
3. Umesh Paswan, aged about 18 years, Male, S/O Harishankar Paswan, all resident of Village - Baraharwa, P.S. - Yogapatti, Dist. - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

**Appearance :**

|                      |   |                            |
|----------------------|---|----------------------------|
| For the Petitioner/s | : | Mr.Sanjeev Kumar, Advocate |
| For the State        | : | Mr.Anil Kumar, A.P.P.      |

---

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      11-01-2021                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Yogapatti P.S. Case No. 392 of 2019 registered for the offences punishable under Sections 341, 323, 504, 427, 353, 354B, 379, 506/34 of the Indian Penal Code.

The prosecution case, in brief, is that on 06.11.2019 at 03.10 P.M., the present F.I.R. was lodged on the basis of the written report of the informant stating that the informant is Anganbari Sewika of Anganbari Centre No.63 of village Baraharwa. On 29.10.2019 at 10.30 A.M., while the informant was running her Anganbari Centre, the accused persons, namely,



Harishankar Paswan, Shanti Devi, Nanhak Paswan and Umesh Paswan came there with lathi and danda and started abusing the informant. When the informant forbade them from abusing her, they entered into the premises of Anganbari Centre and started throwing food grain and record here and there. Upon the order of accused Harishankar Paswan, Umesh Paswan dragged the informant and tore her cloths. Accused Shanti Devi tore the register of Anganbari and Nanhak Paswan took away gas burner and some documents. Accused Harishankar Paswan was saying that the premises over which the centre was being run belongs to him, but, no body is paying hid to his voice.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He further submits that the occurrence took place on 29.10.2019 and F.I.R. was lodged on 06.11.2019 after delay of nine days. There is no explanation regarding such delay. He further submits that the allegation do not constitute any offence under Section 354B of I.P.C. in as much as the dispute took place in presence of family members of both sides and there was no intention to malign the prestige of the informant. Learned counsel for the petitioners further submits that as a matter of fact, a portion of the premises over which the Anganwari Centre



in question was being run by the informant belongs to the family of the petitioners and the informant was not vacating the premises and a simple dispute took place between the parties over the issue, but an exaggerated version of the occurrence has been given by the informant. He further submits that the petitioners have got no any criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M. Bettiah, West Champaran in connection with Yogapatti P.S. Case No. 392 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

Nasimul/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

