

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40383 of 2021

Arising Out of PS. Case No.-31 Year-2021 Thana- BAHADURPUR District- Darbhanga

Kanhai Paswan @ Kanhaiya Paswan, son of Late Singheshwar Paswan
Resident of Village and P.O. - Shahpur Ojhaul, P.S. - Bahadurpur, District -
Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Prabhakar
For the Opposite Party/s : Mr. Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-10-2021 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected
to honour his undertaking given in the instant case for
depositing the requisite court fee and to remove the
defects as pointed out by the office when called upon to
do so by the office.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under
Sections 436, 307, 148, 149, 452, 323, 341 of the
Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the F.I.R that the petitioner



along with other co-accused persons surrounded the house of the informant and started firing from the country made pistol. The accused persons also pelted stones as a result of which, daughter-in-law and other family members of the informant received injuries. The accused persons again came in the next morning and destroyed the Sofa, CCTV camera and other household articles and tried to put the house on fire but the informant and other family members somehow managed to escape with the help of the villagers.

It is submitted by learned counsel for the petitioner that at earlier point of time the petitioner has lodged Bahadurpur P.S. Case No. 29 of 2021 against the informant and others under Sections 323, 324, 341, 307, 147, 148, 149, 504, 506, 436 of the Indian Penal Code and Sections 3(2)(iv) of the SC & ST (Prevention of Atrocities) Act. Hence, in order to save his skin, the informant has filed this false case. It has further been submitted that earlier also the petitioner was accused in



one other case but in that case final form has been submitted holding the allegation as against the petitioner not true. Moreover the injury of daughter-in-law of the informant has been found to be simple in nature caused by hard and blunt substance.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Bahadurpur P.S. Case No. 31 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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