

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29390 of 2020**

Arising Out of PS. Case No.-14 Year-2020 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

ANIL PASWAN S/o Luxmi Paswan @ Lammi Paswan Resident of Village-
Jodhanbigha, P.S.-Shekhopur Sarai, District-Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. D.K. Sinha, Sr Adv.
	:	Mr. Syed. Rizwanul Haque
For the Opposite Party/s	:	Mr. Ram Niwas Roy, APP

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER**

5 17-02-2021 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Shekhopur Sarai P.S. Case No. 14 of 2020 for the offence
under Sections 147, 148, 149, 323, 302, 307, 504 and 506 of
the Indian Penal Code.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, the
petitioner and the informant happen to be Gotia and
altogether eight persons are said to have indiscriminately
assaulted the deceased by Lathi, Danda and Axe but the
doctor found only one injury upon the head of the deceased



caused by a hard and blunt substance which is evident from the post mortem report. Moreover, there is inconsistency in the statement of the prosecution witnesses who are said to have sustained injury during the altercation. Surprisingly there is no injury report available on record to support their prosecution version. The petitioner is rotting in judicial custody since 25.02.2020.

Learned A.P.P. for the State has opposed the prayer for bail but not refuted the contention of learned counsel for the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Shekhopur Sarai P.S. Case No. 14 of 2020.

(Arvind Srivastava, J)

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