

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33780 of 2020

Arising Out of PS. Case No.-156 Year-2020 Thana- MAJHAULIA District- West Champaran

1. RAJ KISHORE PASWAN Son of Late Birbal Paswan Resident of Chanayah Bandh Ward No. 66 Tola Balirampur, P.S.- Mashaulia, District- West Champaran.
2. Dinanath Paswan Son of Late Jangi Paswan Resident of Chanayah Bandh Ward No. 66 Tola Balirampur, P.S.- Mashaulia, District- West Champaran.
3. Gajadhar Paswan Son of Late Jangi Paswan Resident of Chanayah Bandh Ward No. 66 Tola Balirampur, P.S.- Mashaulia, District- West Champaran.
4. Satyanarayan Paswan Son of Jangi Paswan Resident of Chanayah Bandh Ward No. 66 Tola Balirampur, P.S.- Mashaulia, District- West Champaran.
5. Mahendra Paswan Son of Harilal Paswan Resident of Chanayah Bandh Ward No. 66 Tola Balirampur, P.S.- Mashaulia, District- West Champaran.
6. Amod Paswan Son of Harilal Paswan Resident of Chanayah Bandh Ward No. 66 Tola Balirampur, P.S.- Mashaulia, District- West Champaran.
7. Vishesh Paswan Son of Harilal Paswan Resident of Chanayah Bandh Ward No. 66 Tola Balirampur, P.S.- Mashaulia, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jainendra Kumar Pushkar
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-04-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

The application in respect of petitioner no. 7 is
already dismissed as withdrawn vide order dated 26.02.2021.

The petitioner nos. 1 to 6 are apprehending their
arrest in a case registered under Sections 147, 341, 323, 324,
307, 504 and 379 of the Indian Penal Code.



The prosecution allegation, in short, is that the accused persons came to the house of the informant and his brother due to which they sustained injuries.

It has been submitted on behalf of the petitioners that the petitioner nos. 1 to 6 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner nos. 1 to 6. The petitioner nos. 1 to 6 have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner nos. 1 to 6. No specific overt act is alleged against the petitioner nos. 1 to 6. There is a case and counter case between the parties. A free fight is alleged to have taken place. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out..

On behalf of the State, it is submitted that the petitioner nos. 1 to 6 are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner Nos. 1 to 6, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with



two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhaulia P.S. Case No. 156/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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