

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41098 of 2020

Arising Out of PS. Case No.-24 Year-2020 Thana- DHURAIYA District- Banka

1. BINOD PASWAN S/O SHYAM PASWAN RESIDENT OF VILLAGE-PAIR, P.S.-DHORAIYA, DISTRICT-BANKA.
2. SUNNI PASWAN @ SANNO PASWAN @ SUNNY KUMAR PASWAN S/O BINOD PASWAN RESIDENT OF VILLAGE-PAIR, P.S.-DHORAIYA, DISTRICT-BANKA.
3. NITISH PASWAN S/O BINOD PASWAN RESIDENT OF VILLAGE-PAIR, P.S.-DHORAIYA, DISTRICT-BANKA.
4. SHARO DEVI @ SARO DEVI W/O BINOD PASWAN RESIDENT OF VILLAGE-PAIR, P.S.-DHORAIYA, DISTRICT-BANKA.
5. SHANTI DEVI @ SHANTI KUMARI D/O BINOD PASWAN RESIDENT OF VILLAGE-PAIR, P.S.-DHORAIYA, DISTRICT-BANKA.
6. JITENDRA PASWAN S/O LATE BACHCHA PASWAN RESIDENT OF VILLAGE-PAIR, P.S.-DHORAIYA, DISTRICT-BANKA.
7. MALA DEVI W/O JITENDRA PASWAN RESIDENT OF VILLAGE-PAIR, P.S.-DHORAIYA, DISTRICT-BANKA.
8. VISHAL PASWAN @ BISHAL KUMAR S/O JITENDRA PASWAN RESIDENT OF VILLAGE-PAIR, P.S.-DHORAIYA, DISTRICT-BANKA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Kamlesh Kumar Pathak, Advocate
For the Opposite Party/s :	Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-07-2021 Heard Mr. Kamlesh Kumar Pathak, learned Advocate for the petitioners and Mr. Shyam Kumar Singh, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Dhoraiya P.S. Case No. 24 of 2020 dated 01.02.2020 instituted for the offences under



Sections 448, 341, 323, 325, 354, 379, 504, 506 and 34 of the Indian Penal Code.

The accusation in the FIR is that the accused persons, variously armed, came to the house of the informant and after demanding protection money, assaulted many members of the family.

Learned counsel for the petitioners has submitted that one of the petitioners of this case *viz.* Sunni Paswan has filed a counter version of the case *vide* Dhoraiya P.S. Case No.25 of 2020. The informant of the subject FIR is the sister-in-law of petitioner no. 1. The parties are family members and because of an old land dispute, this case has been lodged naming the entire family members. The occurrence took place because of fetching of water from a tube-well situated in the courtyard of the informant.

The dispute *prima facie* appears to be between two branches of a family. Nobody appears to have been injured in any severe manner. The possibility of the family members of both the sides having clashed against each other cannot be ruled out. However, such occurrence appears to have been caused in a flash of temper but not with any premeditation.

Regard being had to the aforestated facts, the petitioners are directed to be released on bail, in the



event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Dhoraiya P.S. Case No. 24 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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