

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37279 of 2020

Arising Out of PS. Case No.-102 Year-2019 Thana- KAJRA District- Lakhisarai

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1. PARMANAND PASWAN@PARMAMNAND PASWAN S/o Late Fauri Paswan R/o Village- Lakhna, P.S.- Kajra, District- Lakhisarai.
 2. Sunil Paswan S/o Late Fauri Paswan R/o Village- Lakhna, P.S.- Kajra, District- Lakhisarai.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners : Mr. Sanjeev Kumar, Advocate.
For the State : Mr. Kanhaiya Kishore, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 01-07-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 19.12.2020, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State, through Video Conferencing.

The petitioners apprehend their arrest in connection with Kajra P.S. Case No.102 of 2019 registered under Sections 448, 341, 323, 354(B), 379, 504 and 506/34 of the Indian Penal Code besides Section 27 of the Arms Act.

The accusation is that on 07.10.2019 at about 02.00



P.M., six persons, named in the F.I.R., including the petitioners variously armed with weapons came at the door of the informant Babita Devi and entered into her house. At that time, Parmanand Paswan (petitioner no.1) fired through pistol in air, due to which all the family members of the informant came in fear. Thereafter, Bino Paswan gave the iron rod blow at the hand of the informant, whereas Uday Kumar Paswan tried to nude her after pulling Saree of the informant. Parmanand Paswan (petitioner no.1) told that he would take the informant round in the village after making her nude. At that time, Sunil Paswan (petitioner no.2) abused the informant. Other accused persons damaged the electronic articles of the house of the informant, and took the gold chain and cash Rs.10,000/- from the box.

Learned counsel for the petitioners submits that the petitioners and the informant are co-villagers and due to some dispute, hot exchange of words took place in between them but with an ulterior motive, only to put undue pressure, the informant lodged the present case. While it is alleged in the F.I.R. that the petitioner no.1 fired in air but no one sustained firearm injury and there is no specific allegation against the petitioner no.2. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of



the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Naresh Mahto, Judicial Magistrate, First Class, Lakhisarai, in connection with Kajra P.S. Case No.102 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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