

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 39086 of 2020

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1. Bimal Paswan, aged about 48 yrs-M, son of Suryanarayan Paswan
 2. Deepak Paswan @ Deepak Kumar Paswan, aged about 22 yrs.-M, son of Bimal Paswan.

Both are resident of village-Mahadevpur, P.S.-Rajoun, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.
For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-06-2021 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and the learned A.P.P. for the State, Sri Ashok Kumar.

This is an application for grant of anticipatory bail in connection with Rajaun P.S. Case No. 190 of



2020 registered for the offence punishable under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code.

The allegation is regarding the petitioner no. 2 having arrived at the house of the informant where he had engaged in altercation with the brother of the informant and had also assaulted him with iron khanti.

The learned counsel for the petitioners submits that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that the present case arises out of case and counter case, the case filed by the wife of the petitioner no. 1 being first in time inasmuch as the same is Rajaun P.S. Case No. 189 of 2020 whereas the present case is Rajaun P.S. Case No. 190 of 2020. It is further submitted that a bare perusal of the injury report of the brother of the informant would show



that the injuries found on his person are not serious in nature.

Per contra, the learned APP for the State, Sri Ashok Kumar, has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record as also considering the fact that the present case arises out of case and counter case and superficial injuries appear to have been inflicted upon the brother of the informant, I deem it fit and proper to enlarge the petitioners above named, 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 anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction



of learned Chief Judicial Magistrate, Banka, in
connection with Rajaun P.S. Case No. 190 of 2020,
subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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