

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1105 of 2021

Arising Out of PS. Case No.-4 Year-2019 Thana- WAJIRGANJ District- Gaya

Vijay Paswan, Son of Kuleshar Paswan, Resident of Village- Airu, Police Station - Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma, Advocate,
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 27-08-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

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

The petitioner apprehends his arrest in connection with Wazirganj P.S. Case No. 04 of 2019, registered under Sections 147, 148, 149, 341, 323, 504, 379 and 307 of the Indian Penal Code.

The accusation is that in the evening of 04.01.2019, Karan Kumar dashed to a child in the lane situated near the house of informant, Sona Devi then parents of the child reached



there and took their child, on which, Karan Kumar moved from there saying that he will again dash to the child. While she was talked to the police at Police Station but due to holiday none had come to the place of occurrence. On the next morning, when the informant, Sona Devi, came out from her house then 14 persons named in the FIR including the petitioner, all of sudden, came and started to cause assault to her. At that time, informant, Rakesh Paswan and Bikesh Kumar sustained injury. Informant further claimed that Vijay Paswan (petitioner) assaulted to Rakesh Paswan through iron rod causing injury at his head and snatched his gold chain and Ranjay Paswan gave iron rod blow causing injury at her head and Asha Devi snatched gold chain from her neck. In the meantime, Sanjay Paswan, gave Khanti blow to her son, Vikesh Paswan.

Learned counsel for the petitioner submits that while the allegation has been made against the petitioner to cause injury through iron rod at the head of Rakesh Paswan, son of the informant but his injury report indicates that he sustained incised wound on the back side of head, i.e., 1"x1/2"x1.5", caused by sharp cutting injury. Further submission is that petitioner is the *Patidar* of the informant and due to petty dispute, occurrence of *Marpit* took place, in which, petitioners'



side also sustained injury, regarding which, Wazirganj P.S. Case No. 03 of 2019 is also instituted on the basis of Fradebyan of co-accused, Ranjay Paswan against the informant and other family members. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya, in connection with Wazirganj P.S. Case No. 04 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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