

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5071 of 2021

Arising Out of PS. Case No.-82 Year-2020 Thana- FESHAR District- Aurangabad

1. RAJKUMAR PASWAN, SON OF LATE LAKSHUMAN PASWAN R/O VILLAGE- KUSHA, P.S- FESAR, DISTT- AURANGABAD
2. GAUTAM PASWAN SON OF BHOLA PASWAN R/O VILLAGE- KUSHA, P.S- FESAR, DISTT- AURANGABAD
3. UTTAM PASWAN SON OF RAMESHWAR PASWAN R/O VILLAGE- KUSHA, P.S- FESAR, DISTT- AURANGABAD
4. ANIL PASWAN SON OF BHAGMAT PASWAN @ BHAGWAT PASWAN R/O VILLAGE- KUSHA, P.S- FESAR, DISTT- AURANGABAD
5. SUNIL PASWAN SON OF BHAGMAT PASWAN @ BHAGWAT PASWAN R/O VILLAGE- KUSHA, P.S- FESAR, DISTT- AURANGABAD
6. SHAMBHU PASWAN SON OF RAMADHAR PASWAN R/O VILLAGE- KUSHA, P.S- FESAR, DISTT- AURANGABAD
7. RAVINDRA PASWAN SON OF NARAYAN PASWAN R/O VILLAGE- KUSHA, P.S- FESAR, DISTT- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari

For the Opposite Party/s : Mr. Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-09-2021 Ms. Mukul Kumari, learned advocate for the

petitioners seeks permission to withdraw this application

with respect to petitioner no. 1 as he has been arrested

during the pendency of this application.

The application with respect to petitioner no. 1

is dismissed as having become infructuous.



The petitioner nos. 2 to 7 seek bail in anticipation of their arrest in connection with Fesar P. S. Case No. 82 of 2020, dated 04.08.2020, instituted for the offences under Sections 147, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

Though all the accused persons along with several others are said to have assaulted the members of the prosecution party but only two persons have been injured who have received simple injuries.

There is a counter version of the occurrence also.

In fact, from the side of the accused persons, three F.I.Rs. have been lodged against the informant and others, details of which have been stated in paragraph 8 of the petition.

According to the learned advocate for the petitioners, the informant is not an eye-witness to the occurrence and the petitioners have been made accused in this case only in retaliation to the earlier cases lodged



against the informant and others.

Regard being had to the afore-stated facts, the petitioner nos. 2 to 7, above-named, 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, Aurangabad, in connection with Fesar P. S. Case No. 82 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands disposed off.

(Ashutosh Kumar, J)

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