

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5317 of 2021

Arising Out of PS. Case No.-186 Year-2020 Thana- HASPURA District- Aurangabad

1. Sonu Paswan Son Of Ramesh Paswan Resident Of Village- Mahuaaon, P.S. Haspura, District-Aurangabad (BIHAR)
2. Awesh Kumar Son Of Bharosha Prasad Resident Of Village- Mahuaaon, P.S. Haspura, District-Aurangabad (BIHAR)
3. Ankit Kumar Son Of Bharosha Prasad Resident Of Village- Mahuaaon, P.S. Haspura, District-Aurangabad (BIHAR)
4. Bharosa Prasad Son Of Rajeshwar Prasad Resident Of Village- Mahuaaon, P.S. Haspura, District-Aurangabad (BIHAR)
5. Manoj Paswan Son Of Bhagwan Paswan Village- Belkhara, P.S.- Arwal, District- Aurangabad (BIHAR).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Leelawati Kumari, Advocate
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-08-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Counsel for the petitioners seeks permission to withdraw the present application on behalf of the petitioner No.4, as the petitioner No.4 has been taken into judicial custody.

Permission is accorded.



The application filed on behalf of petitioner No.4 is dismissed as withdrawn.

The petitioners No.1 to 3 and 5 are apprehending their arrest in connection with Haspura P.S. case No.186 of 2020 registered under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code.

Allegation is that the petitioners No.1 to 3 assaulted the informant with lathi and stick and petitioner No.5 assaulted Mahendra Paswan by means of garasa, due to which he sustained head injuries.

It has been submitted on behalf of the petitioners No.1 to 3 and 5 that the petitioners No.1 to 3 and 5 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners No.1 to 3 and 5. The petitioners No.1 to 3 and 5 have falsely been implicated in the present case. It is a case and counter case between the parties. Free fight is alleged to have taken place. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners No.1 to 3 and 5 are named in the complaint case/F.I.R.



Considering the facts and circumstances of the case, the petitioners No.1 to 3 and 5, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Haspura P.S. case No.186 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners No.1 to 3 and 5 will furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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