

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5312 of 2021

Arising Out of PS. Case No.-88 Year-2019 Thana- CHENARI District- Rohtas

-
1. Lalbabu Paswan, aged about 45 years, Male, S/O Gurbigan Paswan, R/O Village-Bartalikal, P.S.-CHENARI, District- Rohtas, Sasaram.
 2. Rameshwar Paswan @ Rameshwar Ram, aged about 50 years, Male, S/O Gurbigan Paswan, R/O Village-Bartalikal, P.S.-CHENARI, District- Rohtas, Sasaram
 3. Aman Kumar Paswan @ Aman Paswan, aged about 30 years, Male, S/O Radheshyam Paswan, R/O Village-Bartalikal P.S.-CHENARI, District- Rohtas, Sasaram.
 4. Kamlesh Paswan, aged about 40 years, S/O Jamuna Paswan, R/O Village-Bartalikal P.S.-CHENARI, District- Rohtas, Sasaram.
 5. Bhulan Paswan @ Dharmendra Paswan, aged about 35 years, Male, S/O Bigu Paswan, R/O Village-Bartalikal, P.S.-CHENARI, District- Rohtas, Sasaram
 6. Deepak Paswan @ Deepak Kumar, aged about 22 years, Male, S/O Kameshwar Paswan, R/O Village-Bartalikal, P.S.-CHENARI, District- Rohtas, Sasaram
 7. Musha Paswan, aged about 27 years, Male, S/O Bigu Paswan, R/O Village-Bartalikal, P.S.-CHENARI, District- Rohtas, Sasaram.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Babu Nandan Prasad, Advocate.
For the Opposite Party	:	Mr. A.G.
For the Informant	:	Mr. Ashok Kumar Pandey, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-04-2021 Learned counsel for the petitioners is directed to

remove the defects, as pointed out by the office, within a period

of four weeks.



Learned counsel for the petitioners is permitted to make necessary corrections in the father's name of petitioner nos. 1 and 2 in the party position.

Heard learned counsel for the petitioners and learned A.P.P. for the State through Virtual mode.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 147, 148, 149, 341, 323, 307, 354(A), 379 and 504 of the I.P.C.

The prosecution story, in brief, is that on 21.03.2019 at about 11.00 A.M., the accused Bigu Paswan was forcibly trying to erect a house on a Government Land bearing Khata No. 152, Khesara No. 189, and in the meanwhile, the villagers informed the Circle Officer, Chenari, and the police administration, who arrived there to take stock of the situation. This enraged the accused persons. It is further alleged that while the informant was submitting the complaint the accused Ram Pravesh Ram and Haridev Paswan instigated other accused persons upon which, Aman Paswan and Bhulan Paswan took out a pistol and started firing to scare the villagers, who started running here and there. One of the accused Ajay Paswan caught hold of Sudama Singh and Lal Babu Paswan and Ramesh Paswan started assaulting him by means of Lathi, due to which,



he fell down and became unconscious. The rest of the accused started assaulting with Lathi upon Dhanjee, Ravindra Singh, Sri Bhagwan Singh, Sanju Singh and they sustained injury. It is also alleged that the accused persons assaulted two children also snatched Gold Locket.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Nature of injury is said to be simple. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State and informant, it is submitted that the petitioners are named in the F.I.R..

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand only) each with two sureties of the like amount each to the



satisfaction of the learned A.C.J.M. Sasaram, Rohtas, in connection with Chenari P.S. Case No. 88/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

