

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9341 of 2021

Arising Out of PS. Case No.-234 Year-2020 Thana- SHERGHATI District- Gaya

1. KESHWAR PASWAN Son of Late Sonu Paswan Resident of Village - Vari, Police Station - Dobhi, District - Gaya.
2. RAJESH KUMAR PASWAN @ RAJESH PASWAN Son of Late Sonu Paswan Resident of Village - Vari, Police Station - Dobhi, District - Gaya.
3. KAMLESH PASWAN Son of Keshar Paswan Resident of Village - Vari, Police Station - Dobhi, District - Gaya.
4. RAHUL PASWAN @ RAHUL KUMAR Son of Keshar Paswan Resident of Village - Vari, Police Station - Dobhi, District - Gaya.
5. ROHIT PASWAN @ ROHI KUMAR Son of Keshar Paswan Resident of Village - Vari, Police Station - Dobhi, District - Gaya.
6. ROHAN PASWAN Son of Sri Narain Paswan Resident of Village - Vari, Police Station - Dobhi, District - Gaya.
7. CHANDAN PASWAN Son of Sri Narain Paswan Resident of Village - Vari, Police Station - Dobhi, District - Gaya.
8. DAMRU PASWAN Son of Rampiyare Paswan Resident of Village - Vari, Police Station - Dobhi, District - Gaya.
9. AMAN KUMAR @ GORA Son of Nandial Paswan Resident of Village - Vari, Police Station - Dobhi, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-12-2021 Heard the learned counsel for the petitioners and

the learned APP for the State.

The petitioners seek bail in anticipation of their

arrest in connection with Sherghati (Dobhi) P.S. Case No.

234 of 2020 instituted for the offence under Sections 147,



149, 341, 323, 504, 506 and 307 of the Indian Penal Code.

The accusation against all the petitioners is of assaulting the members of the family of the informant as a result of which five persons have been injured. The injuries suffered by all five of them have been reported to be simple in nature. The specific act of assault has been attributed to one Manish Kumar who is said to have assaulted one Karu Paswan on his head as a result of which he got injured.

The learned counsel for the petitioners has submitted that so far as the petitioners are concerned, the accusation is general and omnibus. He has further submitted that there was some dispute between the family with respect to celebration in the house of the informant.

The informant now has chosen not to prosecute the petitioners any further which becomes apparent from annexure -3 to this bail petition.

The learned counsel for the petitioner has submitted that the offences are only personal in nature and, therefore, notwithstanding the fact that section 307 of the I.P.C. is not compoundable under Section 320 of the Code of



Criminal Procedure, this compounding may be taken into account for grant of anticipatory bail to the petitioners.

Regard being had to the general nature of allegation against the petitioners and the decision of the informant not to prosecute them any further, they 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 furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Sherghati (Dobhi) P.S. Case No. 234 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

While saying so the Court has taken note of the fact that the petitioners do not have criminal antecedents.

(Ashutosh Kumar, J)

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