

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8577 of 2021

Arising Out of PS. Case No.-139 Year-2017 Thana- DANIYAWAN District- Patna

1. DEEP PASWAN SON OF LATE SHIVDHARI PASWAN R/O VILL.- TARAURA, P.S.- DANIYAWAN, DIST.- PATNA
2. SUNIL PASWAN SON OF DEEP PASWAN R/O VILL.- TARAURA, P.S.- DANIYAWAN, DIST.- PATNA
3. DHEERAJ KUMAR @ DHEERAJ PASWAN SON OF BIJENDRA PASWAN R/O VILL.- TARAURA, P.S.- DANIYAWAN, DIST.- PATNA

... .. Petitioners.

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate.
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-11-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks of resumption of physical court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 341, 323, 326 & 307 of the Indian Penal Code and Section 27 of the Arms Act.



While the informant was giving food to his she buffalo, in the meantime all the named accused persons including these petitioners are said to have entered into his house armed with weapons with an intention to kill him and started abusing him. When they forbade to do so, accused Dinesh Paswan resorted firing at him by pistol which did not hit him. Petitioner no.1 ordered to kill them and thereafter all started assaulting the informant, his wife and daughter-in-law by means of fist, lathi and danda.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to dirty village politics. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is inordinate and abnormal delay of more than one and half months in filing the complaint petition without assigning any plausible and convincing reason for the said delay. Similarly situated co-accused, namely, Deventi Devi and others have been enlarged on anticipatory bail by a co-ordinate bench of this court vide order dated 06.04.2018 passed in Cr. Misc. No. 16408 of 2018. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the



case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Daniyawan P.S. Case No.139 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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