

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3227 of 2022

Arising Out of PS. Case No.-391 Year-2020 Thana- KOILWAR District- Bhojpur

1. MANI PASWAN Son of- Samaru Paswan Resident of Village - Mokhalisa, P.S.- Koilwar, District - Bhojpur.
2. Bhairo Pawan @ Bhairo Paswan Son of - Bikhari Paswan Resident of Village - Mokhalisa, P.S.- Koilwar, District - Bhojpur.
3. Ram Layak Paswan Son of Sarjug Paswan Resident of Village - Mokhalisa, P.S.- Koilwar, District - Bhojpur.
4. Ghurphekhan Paswan Son of Sahanand Paswan Resident of Village - Mokhalisa, P.S.- Koilwar, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Adv

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

After some arguments, learned counsel for the petitioners seeks permission to withdraw this application as against petitioner no.4.

Permission is granted.

Accordingly, the instant application for petitioner no.4 is dismissed as withdrawn.

Now, this application is being heard with regard to petitioner nos.1, 2, and 3 only.



Petitioners apprehend their arrest in connection with a case registered for the offence punishable u/s 147, 148, 341, 323, 307, 504, 506 of the Indian Penal Code.

Allegedly, the petitioners alongwith co-accused persons assaulted the informant by means of lathi rod while he was strolling on the land of one Bhoo Prakash due to which he sustained injuries.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. Petitioners have been falsely implicated in this case at the instance of their enemies. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is an admitted land dispute between the parties and both the parties are next door neighbor. There is no specific overt act against the petitioners but the injury report shows that one injury is grievous in nature. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Considering the aforesaid facts and circumstances, since there is no specific overt act against the petitioners, let the petitioner nos. 1, 2 and 3 named above, in the event of their arrest/surrender before the learned court below within a period



of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Koilwar P.S Case No.391 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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