

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18064 of 2021

Arising Out of PS. Case No.-167 Year-2020 Thana- KONCH District- Gaya

1. VIKASH KUMAR SON OF BINOD PASWAN R/O VILLAGE- GAJIPUR, P.S.- KONCH AND DIST.- GAYA
2. MANDIP PASWAN @ MANDIP KUMAR SON OF ARJUN PASWAN R/O VILLAGE- GAJIPUR, P.S.- KONCH AND DIST.- GAYA
3. RAVI KUMAR SON OF KAPIL PASWAN R/O VILLAGE- GAJIPUR, P.S.- KONCH AND DIST.- GAYA
4. DILIP KUMAR SON OF MAHENDRA PASWAN R/O VILLAGE- GAJIPUR, P.S.- KONCH AND DIST.- GAYA
5. VIKASH KUMAR @ VIKASH KUMAR PASWAN SON OF ARJUN PASWAN R/O VILLAGE- GAJIPUR, P.S.- KONCH AND DIST.- GAYA
6. SHIVRANJAN KUMAR @ SHIRANJAN KUMAR SON OF GIRJA PASWAN R/O VILLAGE- GAJIPUR, P.S.- KONCH AND DIST.- GAYA
7. VINOD PASWAN SON OF MONU PASWAN R/O VILLAGE- GAJIPUR, P.S.- KONCH AND DIST.- GAYA
8. SANTOSH PASWAN SON OF BHAGIRATH PASWAN @ DEBAN PASWAN R/O VILLAGE- GAJIPUR, P.S.- KONCH AND DIST.- 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. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 20-01-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners and learned APP for the State through video conferencing.

The petitioners apprehend their arrest for the offences



alleged under Sections 147, 149, 341, 323, 325, 307, 504 and 506 of the Indian Penal Code, registered in connection with Konch P.S.Case No. 167 of 2020.

As per allegation, the construction of road work was going on after acquisition of the land of farmers of the village. The farmers requested for excavation of the soil from a *pokhar* instead of the land acquired for the road. On their request, the soil was being excavated from near the *pokhar* which was objected by the petitioners. It has been alleged in the FIR that the accused persons attacked the members of the informant's side and they were equipped with danda, rod, sharp-cut weapons etc. They also threatened the persons of the informant's side to falsely implicate in the case under SC/ST (Prevention of Atrocities) Act.

The learned counsel for the petitioners has submitted that the present case is a counterblast of Konch P.S.Case No. 166 of 2020, which has been lodged by petitioner no.7 Vinod Paswan under similar Section of the present FIR including the SC/ST (Prevention of Atrocities) Act. He has also submitted that there is no specific allegation of assault to any member of the informant's side, rather the allegations are general and omnibus in nature.



Considering the facts and circumstances, let the petitioners, above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand), each with two sureties of the like amount each, to the satisfaction of learned Additional Chief Judicial Magistrate-III, Gaya in connection with Konch P.S.Case No. 167 of 2020, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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