

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21218 of 2021

Arising Out of PS. Case No.-108 Year-2020 Thana- IMAMGANJ District- Gaya

1. RAKESH PAWAN SON OF LATE DEONANDAN PASWAN RESIDENT OF VILLAGE- LOKNACHAK, P.S. IMAMGANJ, DISTT.- GAYA
2. TINKU PASWAN @ DHARAMVEER PASWAN SON OF LATE DEONANDAN PASWAN RESIDENT OF VILLAGE- LOKNACHAK, P.S. IMAMGANJ, DISTT.- GAYA
3. RAJESH PASWAN SON OF GOPAL PASWAN RESIDENT OF VILLAGE- LOKNACHAK, P.S. IMAMGANJ, DISTT.- GAYA
4. JITENDRA PASWAN SON OF GOPAL PASWAN RESIDENT OF VILLAGE- LOKNACHAK, P.S. IMAMGANJ, DISTT.- GAYA
5. DEVNATH PASWAN SON OF LATE RUPPU PASWAN RESIDENT OF VILLAGE- LOKNACHAK, P.S. IMAMGANJ, DISTT.- GAYA
6. AMIT PASWAN SON OF CHANARI PASWAN RESIDENT OF VILLAGE- LOKNACHAK, P.S. IMAMGANJ, DISTT.- GAYA
7. VIKRAM PASWAN SON OF CHANARI PASWAN RESIDENT OF VILLAGE- LOKNACHAK, P.S. IMAMGANJ, DISTT.- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.S. Jamil Akhtar
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-01-2022 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

It is submitted by learned counsel for the petitioner that during pendency of this application, petitioner no.7 has been arrested and, as such, he seeks permission to withdraw this application against him.

In view of the aforesaid submission, this application is



dismissed as withdrawn against petitioner no. 7.

Now learned counsel for the petitioner is pressing this application only against petitioner no. 1 to 6.

Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Imamganj P.S. Case no. 108 of 2020 instituted for the offence under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379, 354 of the Indian Penal Code.

Prosecution story relates to abuse and assault to the informant and his family members by the petitioners and other co-accused persons.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have been falsely implicated in this case. There is case and counter case between the parties. Both parties have sustained injuries in the alleged occurrence. They have got no criminal antecedent. Injuries received by the informant and his family members are simple in



nature.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner nos. 1 to 6 on bail. The petitioner nos. 1 to 6 are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Imamganj P.S. Case no. 108 of 2020, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sherghati, Distt. Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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