

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10182 of 2022**

Arising Out of PS. Case No.-293 Year-2021 Thana- KHAGARIA District- Khagaria

Pramod Paswan Son of Sri Baldev Paswan Resident of Village - Dhusmuri
Bisanpur, P.S. - Muffail, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 09-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Khagaria
(Muffasil) P.S. Case No. 293 of 2021, G.R. No. 1111 of 2021
registered for the offence under Sections 341, 323, 504, 307 and
34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 19.07.2021.

The allegation against the petitioner is to assault
collectively, alongwith other co-accused persons to the
informant equipped with iron rod.

Learned counsel appearing on behalf of the petitioner



submitted that from bare perusal of the F.I.R. itself, it appears that allegation of assault is very much general and omnibus in nature. It has further been submitted that the injury received by the informant due to said assault is simple in nature. It has further been pointed out that the occurrence is in the backdrop of the previous land dispute between the parties and there is case and counter case, showing previous enmity.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that the allegation, as regard to assault, is omnibus in nature.

Considering the facts and circumstances as mentioned above, as alleged assault is not specific rather the same is very much omnibus in nature, causing simple injury, in the backdrop of land dispute, let the petitioner, above named, is directed to be released on bail in connection with Khagaria (Muffasil) P.S. Case No. 293 of 2021, G.R. No. 1111 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Khagaria, subject to the following conditions:

“(i) That accused/petitioner shall
not involve in the similar nature of offence



till the conclusion of trial, failing the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be properly represented on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

(iii) That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

Ankit/-

U		T	
---	--	---	--

