

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22359 of 2021

Arising Out of PS. Case No.-447 Year-2020 Thana- BARH District- Patna

1. SHANKER PASWAN Son of Late Ramchandra Paswan Resident of Village- Sikandra, P.S.- Barh, District- Patna.
2. Uday Paswan Son of Late Birje Paswan Resident of Village- Sikandra, P.S.- Barh, District- Patna.
3. Jugi Paswan Son of Late Baudhu Paswan Resident of Village- Sikandra, P.S.- Barh, District- Patna.
4. Jitu Paswan Son of Jugi Paswan Resident of Village- Sikandra, P.S.- Barh, District- Patna.
5. Milan Paswan Son of Nagina Paswan Resident of Village- Sikandra, P.S.- Barh, District- Patna.
6. Pukar Paswan Son of Ramchandra Paswan Resident of Village- Sikandra, P.S.- Barh, District- Patna.
7. Rikit Paswan Son of Milan Paswan Resident of Village- Sikandra, P.S.- Barh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey
For the Opposite Party/s : Mr. A.PP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-01-2022 It is submitted by learned counsel for the petitioner that during pendency of this application, petitioner no. 3 has been arrested and, as such, he seeks permission to withdraw this application against petitioner no. 3.

In view of the aforesaid submission, this application is dismissed as withdrawn against petitioner no. 3.

Now learned counsel for the petitioner is pressing this



application only against petitioner nos. 1, 2 and 4 to 7 .

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 Barh P.S. Case no. 262 of 2019 instituted for the offence under Sections 147, 148, 149, 160, 353, 307 of the Indian Penal Code and section 27 of the Arms Act.

Prosecution story relates to abuse and assault to the informant 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. Omnibus and general allegations have been levelled against the petitioners. Both parties have received injuries in the alleged occurrence. The name of the petitioners have been surfaced in this case by the local Dafadaar due to personnel grudge and ill motive, which has no evidentiary value in the eye of law.

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 petitioners no. 1, 2 and 4 to 7 on bail. The petitioners nos. 1, 2 and 4 to 7 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 Barh P.S. Case no. 447 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 ACJM, 1st, Barh, Patna. subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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