

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14040 of 2022**

Arising Out of PS. Case No.-210 Year-2020 Thana- NAYA RAM NAGAR District- Munger

BHOLA PASWAN SON OF LATE HARI PASWAN RESIDENT OF
BAJRANGBALI NAGAR, P.S.- NAYA RAM NAGAR, DISTRICT-
MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surya Narayan Sah, Advocate
For the Opposite Party/s	:	Dr. Mrityunjaya Kr.Gautam, APP
For the Informant/s	:	Mr. Kumar Kamal Nayan, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 01-12-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 448, 341, 323, 307, 379, 354, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner had antecedent of one case and the informant alleges that 10 named accused persons along with unknown entered the house of the informant variously armed and on orders of Sachidanand Paswan to kill the family members of the informant, as they object encroachment and the elder brother-in-law of the informant writes against them in his newspaper, on



which all the accused persons assaulted Nitish, the maternal nephew of the informant, and even assaulted him with butt of gun leading to serious injury, it is next alleged that Rakesh Kumar caught hand of the informant and even tore her saree and abused her and when her elder brother-in-law intervened to save her, the accused persons also assaulted him causing injury and when the villagers intervened the accused persons fled and when fleeing they took away Rs. 15,000/- along with a gold chain which the informant was wearing, as detailed in the FIR, it is next alleged that injured were taken to the Sadar Hospital where the doctor referred the injured to Jawaharlal Nehru Hospital, Mayaganj, Bhagalpur where they were treated and condition of Nitish was serious as he had received injury on head on account of assault by butt of gun and iron rod as such he was not in a position to get his statement recorded.

Learned counsel for the petitioner submits that petitioner is a retired government servant, who retired in the year 2020, it is next submitted that from bare perusal of the allegations as alleged in the FIR it would manifest that no specific allegations have been alleged against him nor during the course of investigation also it has come that petitioner had assaulted the injured Nitish nor Nitish in his statement recorded before the



police has stated that this petitioner also assaulted him.

Learned APP for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner, but are not able to rebut the submission of the learned counsel for the petitioner that even injured Nitish has not specifically named the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Naya Ram Nagar P.S. Case No. 210 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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