

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15878 of 2022**

Arising Out of PS. Case No.-364 Year-2021 Thana- DALSINGHSARAI District- Samastipur

SUNIL PASWAN Son of Shatrudhan Paswan Resident of Village - Kevata  
Tole Gajbar, P.s.- Dalsingsarai, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar, Adv

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      11-08-2022      Heard learned counsel for the petitioner and learned APP  
for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 341, 323, 324, 307, 379, 504/34 of IPC.

Allegedly, the petitioner along with other co-accused persons assaulted the informant's side by means of several weapons due to which they sustained injuries.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is a case and counter-case between the parties. The occurrence took place on 07.11.2021 and the F.I.R. was lodged on 26.11.2021 i.e. after a delay of 19 days, without giving plausible explanation regarding the same which creates a serious doubt about the prosecution case. In the alleged occurrence both sides sustained injuries and the injuries are simple in nature. One injury is reserved for the CT-Scan. There is an admitted land dispute between the parties. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is a case and counter case between the parties and the injuries are simple in nature, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/Successor Court in Dalsingsarai P.S. Case No. 364 of  
2021, subject to the conditions as laid down under Section  
438(2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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