

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20069 of 2022

Arising Out of PS. Case No.-161 Year-2017 Thana- GOPALPUR District- Patna

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1. Ranjeet Paswan @ Ranjit Paswan, aged about 32 years, male, S/o Chhatthu Paswan Resident of Village- Shahpur, Police Station- Gopalpur, District- Patna, at present resident of Ramjee Chak, P.S.- Digha, District- Patna.
 2. Sanjeet Paswan s/o Chhatthu Paswan, aged about 35 years, male, resident of village- shahpur, p.s.- Gopalpur, District- Patna, at present resident of Ramjee Chak, Police Station- Digha, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 05-09-2022 Heard Mr. Akhauri Kamal Kishore Sahay, learned counsel appearing on behalf of the petitioners and Mr. Rajendra Prasad Nat, learned A.P.P. for the State.

Petitioners, who are in custody since 23.02.2022, seek regular bail in connection with Gopalpur P.S. Case No. 161 of 2017 registered for offences punishable under Sections 341, 323, 504, 307 and 302/34 of the Indian Penal Code.

As per the allegation made in the F.I.R., both petitioner and informant were engaged in a quarrel with each other which was intervened by the father of the informant in which he had sustained fist blow injury having been committed by the petitioner on the chest to which he had succumbed in the



way while he was taken to the hospital.

Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. There is general and omnibus allegation against the petitioners. There is direct allegation of assault against co-accused Munchun Paswan, who had inflicted fist blow at the chest of the informant's father, who succumbed to the said injury. Similarly situated co-accused namely, Ram Bharosa Paswan @ Bharosa Paswan has already been released on bail vide order dated 29.06.2022 passed in Criminal Miscellaneous No. 7410 of 2022. Other co-accused namely, Munchun Paswan, against whom there is direct allegation of assault to have been committed on the father of the informant, has already been on bail by this Court today i.e. on 05.09.2022 vide Criminal Miscellaneous No. 15767 of 2022. Petitioners have clean antecedent and they are in custody since 23.02.2022.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

Having heard the rival submissions of the parties, from the perusal of the F.I.R. it appears that the allegation made against the petitioners is general and omnibus, similarly situated co-accused namely, Ram Bharosa Paswan @ Bharosa



Paswan has already been released on bail vide order dated 29.06.2022 passed in Criminal Miscellaneous No. 7410 of 2022, other co-accused namely, Munchun Paswan, against whom there is direct allegation of assault to have been committed on the father of the informant, has already been on bail by this Court today i.e. on 05.09.2022 vide Criminal Miscellaneous No. 15767 of 2022, petitioner has remained in custody since 23.02.2022 and the trial is not likely to be concluded in near future, the petitioners, above named, are directed to be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Patna in connection with Gopalpur P.S. Case No. 161 of 2017 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.



(iv) If the petitioners are found involved in similar nature of offence, after their release on bail, the trial Court shall take steps to cancel their bail bonds.

(Purnendu Singh, J)

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