

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21249 of 2022**

Arising Out of PS. Case No.-1051 Year-2021 Thana- FORBESGANJ District- Araria

SUBODH PASWAN Son of Late Vidyanand Paswan Resident of Village -  
Matiyari, Ward no.2, P.S.- Forbesganj, Distt.- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Brajesh Tiwary  
For the Opposite Party/s : Mr.Pranav Kumar

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      20-07-2022                      The learned counsel for the petitioner is directed to  
  
remove all the defects pointed out by the Stamp Reporter within one  
  
month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in Forbesganj P.S. Case no.  
1051/2021 registered for the offence punishable under Sections 307,  
354B, 379 and other allied sections of the Indian Penal Code.

As per allegation, on account of land dispute petitioner  
and accused persons armed with lathi, Farsa, sword attacked on the  
prosecution party and during the occurrence, petitioner assaulted with  
sword on the neck of the informant's brother and informant's younger  
brother and other relatives were also assaulted by the accused  
persons.

The main submissions advanced by the learned counsel  
for the petitioner are that petitioner has been languishing in jail since



18.12.2021 and in between the parties, land dispute is admittedly running and as per injury report of the injured Ramesh Paswan only one injury of him is stated to be grievous and rest have been opined to be simple in nature by the doctor concerned and the alleged occurrence was not committed in a planned manner and the same might have taken place at the spur of moment and petitioner has got no criminal antecedent.

Learned APP has opposed the prayer for bail.

Heard both sides and perused the FIR. Against the petitioner there is specific allegation for causing injury on vital part of the informant's brother by means of sharp weapon and admittedly, one injury on the person of the informant's brother has been opined to be grievous in nature.

Considering the nature of allegation appearing against the petitioner, this Court is not inclined to grant privilege of bail to the petitioner and accordingly, his prayer for bail stands rejected.

It appears that the court below has given liberty to the petitioner to renew his prayer for bail after framing of the charge. Petitioner may renew his prayer for bail as per direction of the court below, if so advised. After framing of the charge, if he avails the said liberty then the learned court below will decide his regular bail application on merits without being prejudiced by this order.

**(Shailendra Singh, J)**

s.hassan/-



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