

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21893 of 2022

Arising Out of PS. Case No.-321 Year-2021 Thana- CHANDI District- Nalanda

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1. Shishupal Paswan, Son Of Yugal Paswan Resident Of Village - Belachhi, P.S.- Chandi, Distt.- Nalanda.
 2. Chanchala Devi, W/O Shishupal Paswan Resident Of Village - Belachhi, P.S.- Chandi, Distt.- Nalanda.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hansraj

For the Opposite Party/s : Ms. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-11-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 342, 323, 308 and 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no.2 is a woman and the informant alleges that she came to know on 28.07.2021 that Shishupal Paswan, Vinod Paswan and Chanchala Devi have locked her husband in their house and have assaulted him brutally. Further, on way to their house, the informant found her husband lying in a lane, who disclosed



about the occurrence. Thus, was taken to hospital in Patna and after treatment, F.I.R. was instituted on 13.08.2021.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that the date of occurrence is 28.07.2021 and the F.I.R. came to be instituted on 13.08.2021 i.e. after a delay of more than 15 days without any plausible explanation. It is next submitted that there is no injury report on record which further gets testified by the fact that if what has been alleged in the F.I.R. is true that the husband of the informant was assaulted so brutally by the petitioners and he was taken to hospital, then definitely the hospital would have informed the police, but from perusal of the F.I.R., it manifests that the same is based on a written application of the informant which further belies the allegation of assault.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the learned Court below
where the case is pending in connection with Chandi P. S. Case
No.321 of 2021, subject to the conditions laid down under
Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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