

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22622 of 2022

Arising Out of PS. Case No.-231 Year-2021 Thana- WARISLIGANJ District- Nawada

1. KAUSHALYA DEVI W/o Late Lakhan Paswan Resident of Village- Dariyapur West, P.s.- Warsaliganj, District- Nawada.
2. SABO DEVI W/o Arun Paswan Resident of Village- Dariyapur West, P.S.- Warsaliganj, District- Nawada.
3. GEETA DEVI W/o Sanjay Paswan Resident of Village- Dariyapur West, P.s.- Warsaliganj, District- Nawada.
4. RUBY DEVI W/o Ashok Paswan Resident of Village- Dariyapur West, P.s.- Warsaliganj, District- Nawada.
5. ARUN PASWAN S/o Late Lakhan Paswan Resident of Village- Dariyapur West, P.s.- Warsaliganj, District- Nawada.
6. ASHOK PASWAN S/o Late Lakhan Paswan Resident of Village- Dariyapur West, P.s.- Warsaliganj, District- Nawada.
7. ABADHESH PASWAN S/o Late Lakhan Paswan Resident of Village- Dariyapur West, P.s.- Warsaliganj, District- Nawada.
8. ARVIND PASWAN S/o Arun Paswan Resident of Village- Dariyapur West, P.s.- Warsaliganj, District- Nawada.
9. AZAD PASWAN S/o Arun Paswan Resident of Village- Dariyapur West, P.s.- Warsaliganj, District- Nawada.
10. SANJAY PASWAN S/o Ramswarup Paswan Resident of Village- Dariyapur West, P.s.- Warsaliganj, District- Nawada.
11. RAJU PASWAN S/o Late Shiv Shankar Paswan Resident of Village- Badi Rajauli, P.S.- Rajauli, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 01-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioner nos. 1 to 5, 7 to 9 and 11 apprehend



their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that accused persons, including the petitioners, came to her house and Kaushalya Devi and Pinki Kumari called her witch, further on protest, Ashok Paswan assaulted her with *lathi* and when her daughter Rani Devi came to save her, Arvind Paswan and Amarjeet Paswan assaulted her with sword, it is further alleged that Sanjay Paswan assaulted her son with *khanti* and Ashok Paswan and Rubi Devi assaulted her husband.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, petitioner nos. 1 to 4 are women, it is next submitted that from the side of the petitioners Warisaliganj P.S. Case No. 237 of 2021 was instituted, it is further submitted that even presuming what has been alleged is true without admitting for the purposes of anticipatory bail then though there is allegation of assault but the injury suffered by the injured is simple in nature whereas the opinion with respect to injury of informant and her husband has been kept reserved. Learned counsel next submits that allegation



of assaulting the informant and her husband is against Ashok and Rubi is also alleged to have assaulted the husband of the informant.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners but fairly submits that injury of Rani and Khushbu is simple in nature and opinion with respect to injury of informant and Rajender has been kept reserved.

Considering the submissions made by the learned counsel for the petitioners, the petitioner nos. 1 to 5, 7 to 9 and 11, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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/successor court in connection with Warisaliganj P.S. Case No. 231 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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