

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23686 of 2022

Arising Out of PS. Case No.-263 Year-2021 Thana- BABUBARHI District- Madhubani

1. KARI PASWAN SON OF LATE MAHABIR PASWAN R/O VILLAGE - BATHUAHA, P.S.- BABUBARHI, DISTRICT- MADHUBANI
2. RANJIT PASWAN SON OF SUKHDEO PASWAN R/O VILLAGE - BATHUAHA, P.S.- BABUBARHI, DISTRICT- MADHUBANI
3. SUSHIL KUMAR PASWAN SON OF DHOLAN PASWAN R/O VILLAGE - BATHUAHA, P.S.- BABUBARHI, DISTRICT- MADHUBANI
4. ARUNDHATI DEVI WIFE OF SUNIL KUMAR PASWAN R/O VILLAGE - BATHUAHA, P.S.- BABUBARHI, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md. Soban Asghar, Advocate
For the Opposite Party/s	:	Mr.Binod Kumar, A.P.P.
	:	Mr. Ravi Prakash, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State and learned counsel for the informant.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

The informant alleges that Nand Kumar Yadav one in the Mukhiya Election, thereafter, his supporters including the petitioners came to the house of the informant and were blasting crackers, on protest they assaulted his wife and dashed her on the ground, further, she was brought to the primary health centre



where she was declared dead.

Learned counsel for the petitioner submits that petitioner No. 2 has antecedent of two cases and petitioner No. 3 and 4 are persons with clean antecedent. Learned counsel further submits that petitioners have been falsely implicated in the present case, it is next submitted that petitioners were not even present at the place of occurrence where crackers were being blasted, it is next submitted that petitioner relies on Annexure 2 to the anticipatory bail application for the submissions made that petitioners were not present at the place of occurrence, it is also submitted that the said photograph has been handed over to police for investigation, it is next submitted that police after investigation has found the case to be true under Section 304 of the I.P.C. and not under Section 302 of the I.P.C.

Learned A.P.P. for the State and the learned counsel for the informant oppose the prayer for anticipatory bail of the petitioners but are not able to meet the submission of the learned counsel for the petitioner that police after investigation has found the case to be true under Section 304 of the I.P.C.

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 trial court



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 trial court where the case is pending/successor court in connection with Babubarhi P.S. Case No. 263 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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