

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35146 of 2021

Arising Out of PS. Case No.-31 Year-2021 Thana- BAHADURPUR District- Darbhanga

1. SHRAWAN PASWAN SON OF SINGHESHWAR PASWAN RESIDENT OF VILLAGE AND P.O.- SHAHPUR OJHAUL, P.S.- BAHADURPUR, DISTRICT- DARBHANGA
2. DINESH PASWAN SON OF RAMESHWAR PASWAN RESIDENT OF VILLAGE AND P.O.- SHAHPUR OJHAUL, P.S.- BAHADURPUR, DISTRICT- DARBHANGA
3. VIKKI KUMAR PASWAN @ VIKKI PASWAN SON OF ARUN PASWAN RESIDENT OF VILLAGE AND P.O.- SHAHPUR OJHAUL, P.S.- BAHADURPUR, DISTRICT- DARBHANGA
4. GAUTAM PASWAN SON OF LAKHINDRA PASWAN RESIDENT OF VILLAGE AND P.O.- SHAHPUR OJHAUL, P.S.- BAHADURPUR, DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Prabhakar
For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-02-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 436, 307,



148, 149, 452, 323 and 341 of the Indian Penal Code and Section 27 of the Arms Act.

All the F.I.R. named accused persons including these petitioners, after forming an unlawful assembly, are said to have come to the house of the informant resorted firing on his house, pelted bricks, stones etc, assaulted the informant and her family members and tried to burn the whole family by setting fire in her house.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to previous enmity and dirty village politics. As a matter of fact, there was free fight between both the parties and both parties sustained injuries. There is case and counter case between the parties. The case lodged by the petitioners' side is earlier to the case under hand being Bahadurpur P.S. Case No.30 of 2021. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The specific allegation of resorting firing is against Kanhai Paswan. It is further submitted that the said Kanhai Paswan has been enlarged on bail by a co-ordinate Bench of this Court.

Having regard to the facts and circumstances of the



case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Bahadurpur P.S. Case No.31of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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