

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25559 of 2022

Arising Out of PS. Case No.-269 Year-2020 Thana- ARA MUFFSIL District- Bhojpur

1. Duryodhan Paswan Son of Late Daroga Paswan Resident of Village - Jagbalia, P.S.- Ara Muffasil, Distt.- Bhojpur.
2. Gobinda Paswan Son o Duryodhan Paswan Resident of Village - Jagbalia, P.S.- Ara Muffasil, Distt.- Bhojpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh, Advocate
For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-08-2022 Heard learned counsel for the petitioners and
learned APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioners are in custody in connection
with Ara (M) P.S. Case No. 269 of 2020 under sections 147,
148, 149, 323, 302, 324, 504, 506 of the Indian Penal Code.

As per the allegation in the FIR, the accused
persons stormed the house of the informant and thereafter, it
is alleged that Dinesh Ranjan Ram gave repeated iron dab
blow on the head of Raj Kumar Paswan, the informant's



son and further the allegation is against Mantu Ram who gave 'lathi' blow on the face causing injury on the teeth and chick.

So far as these present petitioners are concerned, it is alleged that they were part of the mob that had stormed the house of the informant.

Learned counsel for the petitioners submit that nothing specific has been alleged against the petitioners herein, specific allegation is against Dinesh Ranjan Ram and Mantu Ram of having assaulted out of whom Mantu Ram has since been granted bail by a coordinate bench of this Court vide Cr. Misc. No. 5599 of 2021 on 2.7.2021 (Annexure-2 to the bail application). He further submits that one similarly situated co-accused Raja Babu Paswan has also been granted bail by a coordinate bench of this Court vide Cr. Misc. No. 21210 of 2022 on 19.7.2022.

As per counsel for the petitioner, specific allegation is against Dinesh Ranjan Ram of hitting on the head of the son of the informant namely Raj Kumar Paswan as also accused Mantu Ram of hitting on the face. Mantu Ram as stated above has since been granted bail whereas another co-accused Raja Babu Paswan has also been granted



bail and the petitioner is in custody since 26.8.2020 and not 20.8.2022 (as wrongly stated in para-9 of the bail application).

Considering the fact that the petitioners are actually in custody since 26.8.2020, has no criminal antecedent and charge-sheet stands submitted and specific allegations is/are against Dinesh Ranjan Ram and Mantu Ram, this Court is inclined to grant him the privilege of bail.

Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of A.C.J.M.-VII, Bhojpur at Ara, in connection with Ara (M) P.S. Case No. 269 of 2020 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioners, who shall provide official document to show their bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of bail by the Trial Court itself;

(iii) the petitioners will desist from committing



any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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