

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25290 of 2022

Arising Out of PS. Case No.-268 Year-2021 Thana- PATEPUR District- Vaishali

1. AMAN PASWAN @ RAMAN PASWAN SON OF BIJLI PASWAN R/O VILLAGE- MURTUZAPUR DUMARI, P.S.- PATEPUR, DISTRICT- VAISHALI
2. SAMAN PASWAN SON OF BIJLI PASWAN R/O VILLAGE- MURTUZAPUR DUMARI, P.S.- PATEPUR, DISTRICT- VAISHALI
3. BIJLI PASWAN SON OF KANGAL PASWAN R/O VILLAGE- MURTUZAPUR DUMARI, P.S.- PATEPUR, DISTRICT- VAISHALI
4. SURAJ PASWAN @ SURAJ KUMAR PASWAN SON OF RAMBALAK PASWAN R/O VILLAGE- MURTUZAPUR DUMARI, P.S.- PATEPUR, DISTRICT- VAISHALI
5. ASHOK PASWAN SON OF RAMBALAK PASWAN R/O VILLAGE- MURTUZAPUR DUMARI, P.S.- PATEPUR, DISTRICT- VAISHALI
6. MITHLESH PASWAN @ MITHLESH KUMAR PASWAN SON OF RAM BAHADUR PASWAN R/O VILLAGE- MURTUZAPUR DUMARI, P.S.- PATEPUR, DISTRICT- VAISHALI
7. RAMBALAK PASWAN SON OF LATE CHANDRADEO PASWAN R/O VILLAGE- MURTUZAPUR DUMARI, P.S.- PATEPUR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-11-2022 Heard learned senior counsel for the petitioners
and learned A.P.P. for the State.

Learned senior counsel for the petitioners seeks
permission to withdraw the present anticipatory bail
application with respect to petitioner nos. 5 and 6.



Permission is accorded.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 342, 323 and 302 of the Indian Penal Code.

Learned senior counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that he was doing work on contract in the State of Haryana and used to take labours from his village, it is next alleged that a labour of his village died in Haryana for which allegations were levelled against the informant's son namely Sukhlal Paswan, it is next alleged that on 20.12.2021 Sukhlal Paswan has come to his house to attend a Panchayati and at about 7:00 PM, when he was walking near the house of Vishwanath Paswan he was caught and tied in an electric pole by Suraj Paswan, Ashok Paswan, Pintu Paswan, Subodh Paswan Amar Paswan and others and was bitten mercilessly by an iron rod, lathi, spade etc.

Learned senior counsel for the petitioners submits that from bare perusal of allegation as alleged in the FIR, it would manifest the allegation of assault is general and



omnibus in nature, it is next submitted that out of animosity the present FIR came to be instituted, it is also submitted that the FIR does not even remotely suggest that the occurrence was witnessed by any villager when it is alleged that he was tied to a pole and assaulted.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioner nos. 1, 2, 3, 4 and 7, 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 Patepur P.S. Case No. 268 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners after obtaining bail



are not co-operating in the investigation then the learned trial court after hearing the petitioners shall pass orders in accordance with law and if necessary may cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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