

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27456 of 2022

Arising Out of PS. Case No.-221 Year-2018 Thana- KHAJAULI District- Madhubani

1. VIKASH KUMAR PASWAN S/o Late Mukahi Paswan R/o village- Dokhar, P.S.- Kaluahi, Distt.- Madhubani
2. Arun Paswan S/o Monha Paswan R/o village- Dokhar, P.S.- Kaluahi, Distt.- Madhubani

.. ... Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-09-2022 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners have preferred this application for grant of regular bail in a case registered u/s 341, 323, 324, 307, 354, 427, 379, 448, 380, 504 and 506 read with 34 of the Indian Penal Code.

As per the prosecution case, the petitioners and co-accused persons assaulted the informant. It is further alleged that co-accused person assaulted the informant by means of *Dabia* on his head.

Learned counsel for the petitioners has submitted that



the petitioners are innocent and have falsely been implicated in this case. The petitioner No.1 is accused in one more criminal case whereas the petitioner No. 2 is also accused in two other criminal cases which are related to Excise Act as stated in para 3 of the bail petition. It is further submitted that the co-accused Pawan Paswan has already been granted bail by an order dated 05.09.2019 passed in Cr. Misc. No. 33286 of 2019 by a Co-ordinate Bench. There is general and omnibus allegation against the petitioners and there is direct allegation against the co-accused who assaulted the informant by means of *Dabia* causing injury to right parietal region of scalp having stitched wound of 4 cm. No T.I.P. has been conducted by the prosecution. The petitioners are in custody since 13.03.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

Considering the aforesaid facts and circumstances of the case, the petitioners are directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below, Madhubani, in connection with Khajauli P.S. Case No. 221 of 2018.

The application stands allowed.

(Chandra Prakash Singh, J)

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