

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37366 of 2021**

Arising Out of PS. Case No.-118 Year-2020 Thana- INDUSTRIAL AREA District- Vaishali

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1. Krishna Kumar @ Pulli S/O Late Binda Paswan
2. Amarjeet Paswan @ Kanha S/O Late Birju Paswan
3. Suraj Paswan S/O Akhilesh Paswan
4. Ravindra Paswan S/O Naresh Paswan  
All R/O Village-Jadhua Barai Tola, P.S-Industrial Area, District-Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Nityanand, Adv.

For the Opposite Party/s : Mr. Murlidhar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

4      28-02-2022                      Heard learned counsel for the petitioners as well as  
learned APP for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

The petitioners seek bail in connection with Industrial Area P.S. Case No.118 of 2020 registered for the offence punishable under Sections 147, 148, 341, 323, 379, 354, 302, 504, 506 of the Indian Penal Code.

The prosecution case in short is that on 14-08-2020 at 8 PM, Krishna Kumar @ Pulli, Amarjeet Paswan, Suraj Paswan,



Ravindra Paswan, Kanta Paswan and Vijay Kumar were armed with iron rod and pistol, who assaulted to grand mother of the informant with the intention to snatch her Rs. 5000/- and silver chain worth Rs. 4000/-. Due to which she suffered grievous injuries and became unconscious. When the informant went to save her, they have also attacked upon him and he sustained injuries. Further, the Krishna Kumar @ Pulli and Kanta Paswan have also assaulted to the mother of informant by means of hockey stick and rod and started snatching her *Jitiya* worth Rs. 8000/- and when he went to save her mother, they assaulted by iron rod on his mouth. Thereafter, when informant was taking his grand mother to Patna, she died on the way.

Learned counsel appearing on behalf of the petitioners submit that petitioner nos.2,3 and 4 have clean antecedents and they have been falsely implicated in the present case. He further submits that the present FIR has been instituted in retaliation of Industrial Area P.S. Case No.117 of 2020, which was filed by the petitioner no.1 against the family members of the informant. He further submits that the grand mother of the informant was not assaulted by any of the petitioners, rather she was died due to some other reason. He further submits that postmortem report also reveals that doctor has found no external injury on the



body of the deceased. Learned counsel for the petitioners further submit that charge sheet has been submitted against the petitioner and petitioner nos.2 and 4 are in custody since 18.03.2021. Petitioner no.1 and petitioner no.3 are in judicial custody since 17.03.2021 and 22.03.2021.

Learned APP for the State on the basis of the material available on the record and the case diary fairly submits that petitioner nos.2,3 and 4 have clean antecedents and petitioner no.1 has carries one another case other than the present one.

Considering the aforesaid facts, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Industrial Area P.S. Case No.118 of 2020 with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Prakash Narayan /-

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