

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29771 of 2022

Arising Out of PS. Case No.-58 Year-2021 Thana- MANPUR District- Nalanda

1. DEEPAK PASWAN @ DEEPAK KUMAR S/o Arjun Paswan Resident of Village- Paiduka, P.S.- Manpur, District- Nalanda.
2. Satendra Paswan S/o Baso Paswan Resident of Village- Paiduka, P.S.- Manpur, District- Nalanda.
3. Mukesh Paswan @ Mukesh Kumar S/o Arjun Paswan Resident of Village- Paiduka, P.S.- Manpur, District- Nalanda.
4. Arjun Paswan S/o Jiwlal Paswan Resident of Village- Paiduka, P.S.- Manpur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta

For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-09-2022 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioners undertake to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

Learned counsel for the petitioners seek permission to withdraw this application as against petitioner no.4 as he has been apprehended by the police during pendency of this application.



Permission is granted.

Accordingly, the instant application as against petitioner no.4 is dismissed as withdrawn.

Now, this application is being heard with regard to petitioner nos.1, 2 and 3.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 147, 149, 341, 447, 324 and 307 of IPC.

Allegedly, the petitioners forcibly entered the house of the informant and assaulted informant's side by means of deadly weapons due to which they sustained injuries.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The petitioners and informant are own agnates and when the informant made nuisane after taking wine, the petitioner stopped him and due to which simple scuffle took place between them. There is no specific overt act against the petitioners. The injuries are found to be simple in nature, which is also evident from annexure-2 of the bail



application. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the injuries are simple in nature, let the above named petitioner nos.1, 2 and 3 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 court below where the case is pending/Successor Court in Manpur P.S. Case No.58 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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