

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35103 of 2022

Arising Out of PS. Case No.-84 Year-2021 Thana- MURLIGANJ District- Madhepura

1. FAHIM PASWAN Son of Late Jhameli Paswan Resident of Village - Rampur Ward No.- 12, P.S.- Murliganj and District - Madhepura.
2. Rajkumar Paswan @ Rajkumar Son of Fahim Paswan Resident of Village - Rampur Ward No.- 12, P.S.- Murliganj and District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 341, 342, 323, 325, 327, 354B, 307, 379, 427, 504 and
506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that
petitioners have antecedent of one case.

The informant alleges that the accused persons
including the petitioners touched her inappropriately, disrobed
her and assaulted by rod causing injury on her head. Further, the



accused persons assaulted her Bhainsur and her husband with rod causing fracture of their hand. Further, when her sons came to save, they were also assaulted by rod causing injury and the entire family was confined and were released on arrival of the police.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is further submitted that allegation against the petitioner no. 1 is general and omnibus in nature i.e. no specific overt act has been alleged. It is next submitted that petitioner no. 2 is alleged to have assaulted the informant along with other accused persons causing fracture of hand. Learned counsel thus submits that even allegation of assault against petitioner no. 2 is not specific. It is further submitted that the injury suffered is also simple as the impugned order records about the injury report but does not disclose the nature of injury which amply demonstrates that the injury was simple.

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 petitioners above-named, in the event of their arrest or surrender before the learned Court below



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 court below where the case is pending/successor court in connection with Murliganj P.S. Case No. 84 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

