

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36625 of 2022

Arising Out of PS. Case No.-447 Year-2021 Thana- BARH District- Patna

1. AJAD PASWAN SON OF VIJAY PASWAN Resident of Mohalla- Banarsi Ghat, P.O.- and P.s.- Barh, District- Patna
2. INDRAJIT KUMAR @ MANTAN PASWAN SON OF VIJAY PASWAN Resident of Mohalla- Banarsi Ghat, P.O. and P.S. - Barh, District- Patna
3. VIJAY PASWAN SON OF LATE RAM SARAN PASWAN Resident of Mohalla- Banarsi Ghat, P.O. and P.S. - Barh, District- Patna

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dineshwar Prasad Singh
For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

Learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.3-Vijay Paswan, submitting that during pendency of this application petitioner no.3 has been apprehended by the police.



Permission is granted.

Accordingly, this application is dismissed as withdrawn in respect of petitioner no.3 only.

Now, this application survives only for petitioner nos.1 and 2.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 448, 354B & 379/34 of the Indian Penal Code.

While the daughter of the informant had gone to attend the nature of call, co-accused Suraj Paswan is said to have tried to commit rape against her. The allegation against these petitioners is that they assaulted the informant and his family members when the said complain was made to them.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to enmity. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The specific allegation is against co-accused, Suraj Paswan. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the



case, let the above named petitioners, 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 lower Court where the case is pending/successor Court in connection with Barh P.S. Case No.447 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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