

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48358 of 2021**

Arising Out of PS. Case No.-43 Year-2020 Thana- ALAMNAGAR District- Madhepura

Mohan Paswan Son Of Late Jagdish Paswan Resident Of Village - Alam
Nagar, Ward No. - 11, P.S. - Alam Nagar, District - Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Pandey

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 25-01-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in connection with Alam
Nagar P. S. Case No.43 of 2020, instituted for the offences
under Sections 341, 323, 324, 307, 379, 504, 506 read with
Section 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 19.03.2021, he is a person with
clean antecedent and charge-sheet has been submitted in the
case.

The learned counsel for the petitioner submits that the
informant alleges that while she and her husband on 13.02.2020
at about 12.00 noon were reconstructing their house, the same
was objected by the petitioner and named accused persons.



Further when the informant asked them to stop abusing her, then Manjay Paswan assaulted by dabia on her forehead about her right eye and left eye. Thereafter, informant fell and became unconscious. Thereafter, it is alleged that petitioner along with other assaulted by bricks, fists and slaps and the petitioner removed her golden chain and when her husband tried to save her, he was also assaulted.

The learned counsel for the petitioner submits that from perusal of the allegation, it would manifest that the informant herself alleges that on account of repeated blow of dabia by Manjay Paswan, she became unconscious. Thus, it is submitted that if the informant became unconscious then how she could see that who assaulted whom and who snatched her chain. Thus, it is submitted that the petitioner has been falsely implicated and the allegation is of snatching is ornamental.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody since 19.03.2021, he is a person with clean antecedent and charge-sheet has been submitted in the case, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of
learned Additional Chief Judicial Magistrate, Uda Kishunganj,
Madhepura in connection with Alam Nagar P. S. Case No.43 of
2020.

The application stands allowed.

(Satyavrat Verma, J)

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