

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51969 of 2021**

Arising Out of PS. Case No.-333 Year-2019 Thana- BELAGANJ District- Gaya

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KAUSHAL PASWAN @ KAUSHAL KUMAR S/o- GAYA PASWAN
Resident of Village- Sundarpur, Police Station- Belaganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2

For the Opposite Party/s : Mr. Sanjay Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

6 12-09-2022 Heard both sides.

The petitioner apprehends his arrest in connection with Belaganj P.S. Case No.333 of 2019, registered for the offences punishable under Sections 448, 341, 323, 354, 307, 504 and 34 of the Indian Penal Code.

The petitioner along with other co-accused persons are said to have come to the *darwaza* of the informant and started abusing his son, Raju Das. When the son of the informant forbade them, Gaya Paswan ordered the accused persons to kill him. Thereafter the petitioner assaulted the son of the informant by means of iron rod on his head and the son of the informant fell down on the ground after sustaining head injury. When the elder son of the informant went to save his brother, the accused persons assaulted him also.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that earlier the son of the informant was examined in Primary Health Centre, Belaganj, Gaya. It is submitted that the son of the informant was referred to A.N.M.C.H., Gaya and from A.N.M.C.H., Gaya, he was referred to PMCH, Patna, but the son of the informant was not treated in PMCH, Patna rather he was treated in Patliputra Nursing Home, Patna. It is further submitted that the son of the informant was treated in Primary Health Centre, Belaganj, Gaya on 11.09.2019, but the Primary Health Centre, Belaganj, Gaya issued injury report on 05.09.2022 disclosing that the injuries are grievous in nature. It is submitted that there is no injury report of Patliputra Nursing Home, Patna.

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

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of



Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIth, Gaya in connection with Belaganj P.S. Case No.333 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

Sanjay/-

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