

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52149 of 2021**

Arising Out of PS. Case No.-64 Year-2016 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Dashrath Paswan @ Dasrath Paswan Son of Late Kailu Paswan @ Lakhan
Paswan Resident of Village- Nav Bharan, P.S.- Biraul, District- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pranav Kumar
For the Opposite Party/s : Mr.Lalan Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 25-04-2022 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under Section

323 of the Indian Penal Code and Section 3/ 4 of the

Prevention of Witch Practices Act.



It is alleged that all the accused persons including the petitioner armed with lathi, danda entered into the courtyard of the complainant and started assaulting her by calling her witch and when her husband went to save her, he was also assaulted by the accused persons. The accused persons also tried to outrage the modesty of the complainant.

It is submitted by learned counsel for the petitioner that petitioner and husband of the complainant are step brothers and in the background of some land dispute, the present F.I.R has been registered. There is general and omnibus allegation against the petitioner. The wife of the petitioner has also filed a case against the complainant and her husband and others being Biraul P.S. Case No. 98 of 2017. It is further submitted that other co-accused persons have been granted anticipatory bail by the learned Court below. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.



In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, III, Biraul in connection with T.R. No. 35 of 2021, arising out of C.R. No. 64 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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