

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43710 of 2022

Arising Out of PS. Case No.-199 Year-2021 Thana- CHAUTHAM District- Khagaria

1. CHANDAN PASWAN SON OF SHAILENDRA PASWAN R/O VILLAGE-TOFIR GADHIYA, P.S.- CHAUTHAM, DISTRICT- KHAGARIA
2. RAJESH PASWAN SON OF SHAILENDRA PASWAN R/O VILLAGE-TOFIR GADHIYA, P.S.- CHAUTHAM, DISTRICT- KHAGARIA
3. PULKIT PASWAN SON OF SHAILENDRA PASWAN R/O VILLAGE-TOFIR GADHIYA, P.S.- CHAUTHAM, DISTRICT- KHAGARIA
4. SHAILENDRA PASWAN SON OF LATE PARSURAM PASWAN R/O VILLAGE-TOFIR GADHIYA, P.S.- CHAUTHAM, DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajit Kumar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 354, 379, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to petitioner No. 3 and 4.

Permission is accorded.



The informant alleges that on 20.08.2021, when he was going to his sister-in-law's parental home for Rakshabandhan when he was intercepted by four accused persons including the petitioners and, thereafter, petitioner No. 1 fired but petitioner No. 4 ordered to kill by strangulation and to conceal the body, thereafter, petitioner No. 2 and petitioner No. 3 held hands of the informant and petitioner No. 4 tried to strangle with a rope on which informant fell unconscious, thereafter, the petitioner No. 1 dragged his sister-in-law and assaulted her and misbehaved with her, it is next alleged that cause of occurrence is that petitioner No. 1 and petitioner No. 4 had demanded a motorcycle by way of dowry as the sister of the informant was married to petitioner No. 1.

Learned counsel for the petitioner submits that petitioner No. 1 has antecedent of one case and petitioner No. 2 is a person with clean antecedent. Learned counsel next submits that the petitioners have been falsely implicated in the present case, it is next submitted that though there is allegation of firing but then there is no fire-arm injury nor any injury report is on record, it is also submitted that allegations against the petitioner No. 1 is of firing and petitioner No. 2 is of holding the hands of the informant but then there is no fire-arm injury and allegation



against the petitioner No. 2 is ornamental.

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 petitioner No. 1 and 2, in the event of their arrest or surrender before the learned trial court 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 trial court where the case is pending/successor court in connection with Chautham P.S. Case No. 199 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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