

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58679 of 2021

Arising Out of PS. Case No.-236 Year-2021 Thana- DAUDNAGAR District- Aurangabad

1. SANJAY PASWAN @ SANJAY KUMAR, S/o- Bijnandan Paswan @ Brijnanda Paswan, Resident of Village - Shamshernagar, Vikash Tola (Dusadh Toli) P.S. - Daudnagar, Distt. - Aurangabad (Bihar).
2. Vikash Paswan @ Vishwanath Paswan, Son of Bijnandan Paswan @ Brijnandan Paswan, Resident of Village - Shamshernagar, Vikash Tola (Dusadh Toli) P.S. - Daudnagar, Distt. - Aurangabad (Bihar).
3. Rahul Kumar, S/o Bijnandan Paswan @ Brijnandan Paswan, Resident of Village - Shamshernagar, Vikash Tola (Dusadh Toli) P.S. - Daudnagar, Distt. - Aurangabad (Bihar).
4. Shivnandan Paswan, S/o- Late Prasadi Paswan, Resident of Village - Shamshernagar, Vikash Tola (Dusadh Toli) P.S. - Daudnagar, Distt. - Aurangabad (Bihar).
5. Jay Paswan, Son of Late Prasadi Paswan, Resident of Village - Shamshernagar, Vikash Tola (Dusadh Toli) P.S. - Daudnagar, Distt. - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-03-2022 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Daudnagar P.S. Case No. 236 of 2021 for the offences under Sections 147, 149, 341, 323, 448, 307, 504 and 302 of the Indian Penal Code.

Learned counsel for the petitioners seeks permission



to withdraw the application for anticipatory bail of petitioner nos. 1, 2 and 3, namely, Sanjay Paswan @ Sanjay Kumar, Vikash Paswan @ Vishwanath Paswan and Rahul Kumar.

Permission is accorded.

Accordingly, the application for anticipatory bail of petitioner nos. 1, 2 and 3, namely, Sanjay Paswan @ Sanjay Kumar, Vikash Paswan @ Vishwanath Paswan and Rahul Kumar is dismissed as withdrawn.

Learned counsel for the petitioners further submits that there is general and omnibus allegation against petitioner nos. 4 and 5, namely, Shivnandan Paswan and Jay Paswan and altogether 17 persons are said to have assaulted the deceased, who did not die on the spot, but died on the next day and therefore offences under Section 302 is not made out against petitioner nos. 4 and 5.

Considering the aforesaid submissions, the petitioner nos. 4 and 5, namely, Shivnandan Paswan and Jay Paswan, in the event of arrest or surrender before the court below within one month from today, are directed to be released on 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 Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Daudnagar P.S. Case No. 236 of 2021 subject



to the conditions as laid down under Section 438(2) of the Code
of Criminal Procedure.

(Sandeep Kumar, J)

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