

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62679 of 2021

Arising Out of PS. Case No.-135 Year-2021 Thana- ASHTHAWAN District- Nalanda

1. Gautam Kumar Son of Late Sheobalak Paswan Resident of Village - Sherpur, P.s.- Nalanda, Distt.- Nalanda.
2. Avinash Paswan @ Purshottam Paswan @ Azad Kumar Son of Pappu Paswan Resident of Village - Sherpur, P.s.- Nalanda, Distt.- Nalanda.
3. Bhola paswan @ Indradeo Paswan Son of late Mangal Paswan Resident of Village - Sherpur, P.s.- Nalanda, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha
For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-07-2022 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Asthawan P.S. Case No. 135 of 2021, registered for the offences punishable under Sections 354(A), 354(B), 323 and other allied sections of the Indian Penal Code.

Prosecution case in brief is that on 02.06.2021 at 8.00 am the son of informant left his house and said that he is going outside. On the next date 03.06.2021 all the accused persons including petitioners came and dragged her to the house of petitioner no. 2 Avinash Paswan where all the accused persons



were present from before and they asked about Preeti Kumari and said that her son took away Preeti Kumari thereafter by catching her hair confined her in a room and also cut her hair and took off her sari. When the husband, son and other family members of informant came to rescue they were also assaulted by the accused persons.

It is submitted that both parties are co-villagers. There is case and counter case. As a matter of fact, son of informant kidnapped the sister of co-accused Pappu Paswan for which Asthawan PS Case No. 136 of 2021 was lodged against the informant and his sons on 02.06.2021 and on the next date on 03.06.2021 the present FIR was lodged. Allegation of assault and disrobing the informant is general and omnibus and there is no specific allegation of overt act against these petitioners. Allegation of kidnapping the sister of Pappu Paswan is against the son of informant Dheeraj Kumar. Similarly situated co-accused persons have already been granted bail by the court below itself. Petitioners have got clean antecedents.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be



enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Asthawan P.S. Case No. 135 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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