

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60225 of 2021

Arising Out of PS. Case No.-227 Year-2021 Thana- NARPATGANJ District- Araria

1. DANI PASWAN S/o LATE BISHWANATH PASWAN R/o VILLAGE-REWAHI, WARD No. 5, P.S-NARPATGANJ, DISTRICT-ARARIA.
2. RABIN PASWAN @ RABINDRA PASWAN S/o LATE BISHWANATH PASWAN R/o VILLAGE-REWAHI, WARD No. 5, P.S-NARPATGANJ, DISTRICT-ARARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

The petitioners apprehend their arrest in connection with Narpatganj P.S. Case No. 227 of 2021 registered for the offences punishable under Sections 147, 149, 341, 447, 342, 323, 324, 325, 307, and 504 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 22.05.2021 at about 08:00 A.M. when the informant had gone to visit his land, Shambhu Paswan left his cattle grazing in the field of the informant and on objection, the accused persons including petitioners came on the land of the



informant and it is alleged that Shambhu assaulted on informant's head with *farsa* causing injury and when the sister-in-law of the informant came at the place of occurrence, Upendra Paswan assaulted her and tore her cloths while other accused also assaulted and broke her neck and left eyebrow. The informant's wife was also assaulted and she suffered injury on her left hand. It is also alleged that informant's brother was assaulted by *farsa* causing injuries on his head by petitioner nos. 1 and 2.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that there is a case and a counter-case as Narpatganj P.S. Case No. 228 of 21 was instituted from the side of the informant, it is next submitted that petitioner does not have injury of the injured.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that from perusal of the allegation as alleged in the FIR it would manifest that occurrence had taken place in which from the side of the petitioners assaults have been inflicted causing injury on vital part of the body of the informant's brother, it is next submitted that in the FIR itself it is clearly alleged that on account of



assault, the injured also received injury in the nature of fracture of hand and legs which in no manner can even remotely suggest that the injuries were not fatal.

Considering the submissions made by the learned APP for the State, the court is not inclined to extend the privilege of anticipatory bail to the petitioners.

(Satyavrat Verma, J)

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