

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51374 of 2022

Arising Out of PS. Case No.-140 Year-2021 Thana- GHOSWARI District- Patna

1. Nakat Paswan, (Male, aged about 85 years), Son of Late Gopla Paswan, R/V- Balwa, P.S- Ghoswari, Dist- Patna.
2. Krishan Paswan, (Male, aged about 52 years), Son of Nakat Paswan, R/V- Balwa, P.S- Ghoswari, Dist- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Sanjay Kumar @ S.K., Advocate
For the Opposite Party : Mr. Mukesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through Virtual mode.

Learned counsel for the petitioners is directed to remove the defect (s), as pointed out by the office, within a period of four weeks.

The petitioners seek bail in connection with Ghoswari P.S. Case No. 140 of 2021 registered for the offence under Sections 341, 323, 307 and 447/34 of the I.P.C.

The prosecution case, in brief, is that on 01.11.2021 at about 8.00 A.M., the father of the informant was sitting on his door. In the meantime, the petitioners alongwith co-accused Bijo Paswan came there armed with weapons. Petitioner no. 2 blown



blunt portion of rifle on the head of his father, as a result, he sustained head injury and blood was oozing then he came there then all accused persons fled away from there. With the help of the villagers, he was admitted in Ghoswari P.H.C. then referred to S.D.H., Barh and thereafter he was referred to P.M.C.H., Patna, for treatment.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 20.07.2022. The petitioners have got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioner no. 1 is said to be the member of unlawful assembly. As far as petitioner no. 2 is concerned, he is said to have assaulted with the butt of the rifle to the father of the informant. He had no intention to commit murder of the father of the informant. Hence, no offence under Section 307 of the I.P.C. is made out.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above-named, 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 learned J.M. Ist Class, Barh,
Patna, in connection with Goswari P.S. Case No. 140 of 2021.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

