

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61425 of 2022

Arising Out of PS. Case No.-335 Year-2021 Thana- SUPAUL District- Supaul

1. SHIBU PASWAN Son of Jiwachh Paswan Resident of Mohalla - Ward No.- 25, Town, P.S. and District - Supaul.
2. Dashrath Paswan Son of Panchu Paswan Resident of Mohalla - Ward No.- 25, Town, P.S. and District - Supaul.
3. Ashok Paswan Son of Dashrath Paswan Resident of Mohalla - Ward No.- 25, Town, P.S. and District - Supaul.
4. Raj Kishore Paswan Son of Upendra Paswan Resident of Mohalla - Ward No.- 25, Town, P.S. and District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 341, 342,
323, 436 and 427/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent.

The informant alleges that on 28.04.2021 his
caretaker informed him that on 25.04.2021, at around 11:00



a.m., he saw that the accused petitioners along with one unknown accused were hatching conspiracy and Dashrath Paswan along with Shibu Paswan set his house ablaze thus goods along with the house were burnt to ashes.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the date of occurrence is 25.04.2021 and the informant alleges that he was informed by Manoj Mandal about the same on 28.04.2021 and thereafter the FIR came to be instituted on 01.05.2021 which amply demonstrates that the FIR has been instituted by way of afterthought. It is next submitted that it absolutely does not stand to reason as to why Manoj Mandal did not inform the informant if what he had conveyed to him was true in time.

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 petitioners above-named, in the event of their arrest or surrender before the learned Court below 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 court below where the case is pending/successor court in connection with Supaul P.S. Case No. 335 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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