

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7492 of 2023

Arising Out of PS. Case No.-155 Year-2022 Thana- PATEPUR District- Vaishali

1. SURESH PASWAN S/o Late Badhu Paswan R/o Village- Malpur (Tola Benbariya), P.S.- Patepur, Distt- Vaishali.
2. Jagdeo Paswan S/o Late Shree Chran Paswan R/o Village- Malpur (Tola Benbariya), P.S.- Patepur, Distt- Vaishali.
3. Sonu Kumar S/o Jagdeo Paswan R/o Village- Malpur (Tola Benbariya), P.S.- Patepur, Distt- Vaishali.
4. Rajgeer Paswan S/o Late Yogendra Paswan R/o Village- Malpur (Tola Benbariya), P.S.- Patepur, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar
For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-03-2023 This case has been listed under the heading '*To Be Mentioned*' at the instance of learned counsel for the petitioner.

Heard the parties.

Learned counsel for the petitioner seeks permission to withdraw this application as against the petitioner no.1 as he has been arrested by the police during the pendency of the bail application.

Permission is granted.

Accordingly, this application as against the petitioner no.1 is dismissed as withdrawn.



Now, this application is being heard with regard to petitioner nos.2, 3 and 4 only.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 325, 326, 354(B), 379, 504, 506 of the Indian Penal Code.

Allegedly, the petitioners alongwith other co-accused persons abused the informant. It is alleged that co-accused Amarjeet Paswan attacked on the head with iron causing head injury and then all the accused persons including the petitioners assaulted the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter-case between the parties and both sides have sustained injuries. There is an admitted land dispute between the parties. He further submits that the injuries are found to be simple in nature. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for



anticipatory bail.

Having regard to the facts and circumstances of the case as the injuries are simple in nature, let the above named petitioner nos. 2, 3 and 4 be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Patepur P.S. Case No.155 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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