

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5597 of 2023

Arising Out of PS. Case No.-142 Year-2022 Thana- SAHJAHANPUR District- Patna

1. Manik Paswan Son Of Ramswarup Paswan R/V- Chakarja, Ps- Shahjahanpur Dist- Patna
2. Jhalo Devi Wife Of Manik Paswan R/V- Chakarja, Ps- Shahjahanpur Dist- Patna
3. Sima Devi Wife Of Shri Paswan R/V- Chakarja, Ps- Shahjahanpur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarendra Nath Verma
For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 307 and 34 of the Indian Penal Code.

As per the prosecution case, allegation against the petitioners is that they have assaulted the informant's daughters and son. It is further alleged that the accused persons also snatched earring and nose pin of the informant's daughter.

Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the



petitioners is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner. He submits that the F.I.R. has been lodged after delay of five days without any plausible explanation, which creates serious doubt on the prosecution case. He submits that there is no injury report in the case diary. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, 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 lower Court where the case is pending/successor Court in connection with Shahjahanpur P.S. Case No.142 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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