

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14158 of 2023

Arising Out of PS. Case No.-224 Year-2022 Thana- BAHADURPUR District- Darbhanga

1. SANJIT PASWAN S/O UMESH PASWAN Resident of Village- Baluahi, P.S.- Bahadurpur District- Darbhanga.
2. ARJUN PASWAN S/O LATE MOUZE PASWAN Resident of Village- Baluahi, P.S.- Bahadurpur District- Darbhanga.
3. BISHO PASWAN S/O LATE MOUZE PASWAN Resident of Village- Baluahi, P.S.- Bahadurpur District- Darbhanga.
4. BISHWANATH PASWAN S/O LATE MOUZE PASWAN Resident of Village- Baluahi, P.S.- Bahadurpur District- Darbhanga.
5. PRAMOD PASWAN S/O BAUEJI @ BAUEJI PASWAN Resident of Village- Baluahi, P.S.- Bahadurpur District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha
For the Opposite Party/s : Mr. Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-07-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 308, 354, 379, 504, 506 of the Indian Penal Code.

Allegedly, the petitioners and other co-accused persons assaulted the informant and his brother by means of several weapons. It is also alleged that the accused persons entered into the house of the informant and tried to outrage the modesty of the sister-in-law of the informant. The accused persons looted



house hold article of Rs.15,000/-.

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. He submits that there is a case and counter-case between the parties and the informant lodged present case to save their skin from Bahadurpur P.S Case No.223 of 2022 lodged by the petitioner no.5. There is an inordinate delay of 16 days in lodging of the Fir, which creates a serious doubt over the genuineness of the prosecution story. He further submits that from the petitioner's side one person sustained grievous injury. He further submits that the injuries have been 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 well as considering the nature of injury and delay in filing of FIR, 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 court below where the case is pending/Successor Court in connection with Bahadurpur P.S. Case No.224 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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