

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13850 of 2023

Arising Out of PS. Case No.-329 Year-2021 Thana- KHARHAGPUR District- Munger

PAWAN SINGH Son of Kishore Singh Resident of Village- Barui, P.S.-
Kharagpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Roy, Adv.

For the Opposite Party/s : Mr.Satyendra Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 147, 148, 149, 323,
341, 447, 307 of the Indian Penal Code.

Allegedly, petitioner along with other accused persons,
armed with deadly weapons, came to the informant and started
abusing her and her family members. Pawan Singh is said to
have assaulted one Pramod Singh by means of iron rod due to
which he sustained head injury.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No
such occurrence as alleged ever took place. He has been falsely
implicated in this case due to ulterior motive. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Both sides have filed cases against each other. There is inordinate and abnormal delay of four months in filing the complaint petition without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. It is further submitted that from perusal of the FIR, it appears that there are two Pawan Singh in the present case. Therefore, it cannot specifically be alleged that who assaulted the victims due to which they sustained injury. Similarly situated co-accused, namely, Pawan Kumar has been enlarged on bail by this court vide order dated 17.11.2022 passed in Cr. Misc. No. 39218 of 2022. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the similarly situated co-accused has been granted bail, let the above named petitioner, be released on bail, in the event of his 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) 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 Kharagpur P.S. Case No. 329 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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