

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13672 of 2023**

Arising Out of PS. Case No.-370 Year-2022 Thana- BARUN District- Aurangabad

1. SAVITA DEVI W/O MAHENDRA PASWAN Resident of Village- Itahat, P.S.- Barun, District- Aurangabad.
2. SITA DEVI @ SITA KUMARI D/O MAHENDRA PASWAN Resident of Village- Itahat, P.S.- Barun, District- Aurangabad.
3. VIKASH KUMAR S/O MAHENDRA PASWAN Resident of Village- Itahat, P.S.- Barun, District- Aurangabad.
4. MAHENDRA PASWAN S/O LATE ALIYAR PASWAN Resident of Village- Itahat, P.S.- Barun, District- Aurangabad.
5. SUNDAR PASWAN @ SHYAM SUNDAR PASWAN S/O SURAJ PASWAN Resident of Village- Fesar, P.S.- Barun, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal
For the Opposite Party/s : Mrs. Sucheta Yadav

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 29-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 380, 325, 307, 341 and 504/34 of the Indian Penal Code pending in the learned court below.

Allegation against the petitioners is that they along with others co-accused persons entered into the house of the informant and started abusing him and his wife. The accused persons brutally assaulted them and caused severe injuries.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this



case. He further submits that there is general and omnibus allegation against the petitioners except petitioner no.3. He submits that there is no specific overt act against the petitioners except petitioner no.3 who assaulted the informant and his wife but the injuries found upon the victims are simple in nature. He further submits that there is delay of more than two months in filing of the present FIR and there is no any satisfactory explanation about it which creates serious doubt about the prosecution case. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the nature of the injury, let the petitioners, named above, in the event of their arrest/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.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Barun P.S. Case No.370/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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