

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15022 of 2023

Arising Out of PS. Case No.-149 Year-2022 Thana- SARAI District- Vaishali

1. Bindeshwar Paswan, Son Of Late Faguni Paswan R/V- Mirpur Patadh, P.S.- Sarai, District- Vaishali
2. Umesh Paswan, Son Of Laxman Paswan R/V- Mirpur Patadh, P.S.- Sarai, District- Vaishali
3. Shrawan Paswan, Son Of Bindeshwar Paswan R/V- Mirpur Patadh, P.S.- Sarai, District- Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-07-2023 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 447, 323, 324, 307, 379, 504, 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that Shrawan Paswan (petitioner no.3) assaulted informant by *Hasuli* causing injury on head, Chandan Paswan assaulted Punit Paswan by an iron rod causing cut



injury on head, thereafter, petitioner no.1 assaulted Sandhya Devi by sword causing injury on forehead. It is next alleged that Umesh Paswan (petitioner no.2) assaulted Sunil Paswan by an iron rod causing injury on leg. It is further alleged that the named women accused snatched the ornaments from the neck of Sandhya Devi.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that though it is alleged that petitioner no.1 assaulted Sandhya Devi by sword causing injury on forehead, but then, there is no injury report on record as per instruction of the petitioners.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-16, Vaishali at Hajipur in connection with Sarai P. S. Case No.149 of 2022, subject to the conditions laid



down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that the learned trial Court before accepting the bail bonds of the petitioners shall verify from the injury report that as to whether informant and Sandhya Devi received any grievous injury or not and in the event, if it is found that they received grievous injury, then in that event, the present anticipatory bail order shall not be given effect to with respect to petitioner no.1 and 3.

(Satyavrat Verma, J)

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