

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16288 of 2023

Arising Out of PS. Case No.-576 Year-2022 Thana- KHAGARIA District- Khagaria

1. Bikash Kumar S/O Prem Paswan Resident Of Village- Mathurapur, P.S. And District- Khagaria.
2. Munna Paswan S/O Prem Paswan Resident Of Village- Mathurapur, P.S. And District- Khagaria.
3. Prem Paswan S/O Late Sukra Paswan @ Sukkar Paswan Resident Of Village- Mathurapur, P.S. And District- Khagaria.
4. Renu Devi W/O Munna Paswan Resident Of Village- Mathurapur, P.S. And District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar
For the Opposite Party/s : Mr. Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-06-2023 Learned counsel for the petitioners and learned APP
for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 448, 341, 323, 354(B)/34 of the Indian Penal Code.

Allegation against the petitioner is that they tried to outrage the modesty of wife of the informant and when the informant stopped them, then all petitioners started beating him with deadly weapons.

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



case. He submits that there is no specific overt act against the petitioners. He further submits that both parties are agnates and there is admitted land dispute between the parties. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case and the fact that petitioner no. 3 is aged about 74 years, petitioner no. 4 is a lady and there is no specific overt act against petitioner no. 2, let the above named petitioners no. 2, 3 and 4, 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 Khagaria P.S. Case No. 576 of 2022, G.R. No. 1620 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Considering the facts and circumstances of case and the fact that there is specific overt act against petitioner no. 1, I



am not inclined to enlarge petitioner no.1 on anticipatory bail.
The prayer for anticipatory bail of the petitioner no. 1 is hereby
rejected.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

anand/-

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