

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15829 of 2023

Arising Out of PS. Case No.-258 Year-2022 Thana- BARUN District- Aurangabad

-
-
1. RAHUL PASWAN S/O DHURA PASWAN Resident of Village- Tengra, P.S.- Barun, District- Aurangabad
 2. ROHIT PASWAN S/O DHURA PASWAN Resident of Village- Tengra, P.S.- Barun, District- Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rupa Kumari, Advocate

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-05-2023 Heard the parties.

The petitioners are apprehending arrest in connection with Barun P.S. Case No. 258 of 2022 under sections 147, 148, 149, 341, 323, 308 and 379 of the Indian Penal Code lodged on 21.06.2022 by the informant Ajeet Kumar Pandey.

The prosecution story, in brief, is that the named accused persons including the petitioners herein who were in an inebriated state attacked the informant while he was on way to his house. Arvind Paswan assaulted with the 'butt' of pistol causing head injury. Bahadur Paswan and Lal Bahadur Paswan repeatedly assaulted him with sabal (khanti) and Anupam Paswan took away the gold chain of the informant. The accused persons also took away Rs. 11,000/- from him. Accordingly, the F.I.R.

It has been submitted by the learned counsel for the



petitioners that the specific allegation of assault and snatching of the gold is against Arvind Paswan, Bahadur Paswan, Lal Bahadur and Anupam Paswan.

So far as these petitioners are concerned, there is omnibus allegation against them.

Learned APP opposes the prayer for anticipatory bail.

Taking into account the aforesaid fact that the main allegation is against co-accuseds Arvind Paswan, Bahadur Paswan, Lal Bahadur and Anupam Paswan, the petitioners are said to be part of the mob and do not have criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail.

Let the petitioners be released on bail in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Barun P.S. Case No. 258 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. alongwith the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show



his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Ravi/Kiran

U		T	
---	--	---	--

