

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23818 of 2023

Arising Out of PS. Case No.-232 Year-2022 Thana- SULTANGANJ District- Bhagalpur

1. VINDESHWARI PASWAN S/O TANIK LAL PASWAN RESIDENT OF VILLAGE- RAJ GANGAPUR, P.S-SULTANGANJ, DISTT.- BHAGALPUR.
2. SANKAR PASWAN @ SHANKAR PASWAN S/O PRAYAG PASWAN RESIDENT OF VILLAGE- RAJ GANGAPUR, P.S-SULTANGANJ, DISTT.- BHAGALPUR.
3. SANJAY PASWAN S/O PRAYAG PASWAN RESIDENT OF VILLAGE- RAJ GANGAPUR, P.S-SULTANGANJ, DISTT.- BHAGALPUR.
4. DEEPAK KUMAR S/O SANKAR PASWAN @ SHANKAR PASWAN RESIDENT OF VILLAGE- RAJ GANGAPUR, P.S-SULTANGANJ, DISTT.- BHAGALPUR.
5. PANKAJ KUMAR PASWAN S/O SANKAR PASWAN @ SHANKAR PASWAN RESIDENT OF VILLAGE- RAJ GANGAPUR, P.S-SULTANGANJ, DISTT.- BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Ramchandra Sahnii

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-07-2023 Heard the parties.

The petitioners apprehend their arrest in connection with Sultanganj PS Case No. 232 of 2022 dated 08-07-2022 registered under Sections 341, 323, 325, 307, 379, 504, 506 and 34 of the I.P.C.

As per the prosecution case on 07.07.2022 in the evening while the informant was going to market for purchasing rice, he was accosted by the co-accused Bipin Paswan along



with Lalu Kumar Paswan. Bipin Paswan assaulted the informant and Lalu Kumar Pawan snatched Rs. 1000/- from his pocket. It has further been alleged that when the family members of the informant went to the house of the co-accused Bipin Paswan and Lalu Kumar Paswan to make a complain about the incident, then the family members of accused persons named in the F.I.R., including the petitioners, total 19 in number, assaulted the family members of the informant with bricks, stones, sticks, lathi, rod etc.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case due to previous dispute between the parties and the allegation against them is general and omnibus in nature. He further submits that the injuries caused to the victims are simple in nature, which would be evident from the impugned order itself.

I have heard learned counsel for the parties and have perused the impugned order. From perusal of the impugned order it transpires that specific submission was made on behalf of the petitioners before the learned Additional Sessions Judge-XIII, Bhagalpur that all the injuries are simple in nature, though the learned Additional Sessions Judge-XIII, Bhagalpur has discussed the injuries, but has not mentioned that injuries caused



to the victims are grievous in nature.

In view of the fact that allegation against the petitioners is general and omnibus in nature and injuries caused to the victims are simple in nature, I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Sultanganj PS Case No. 232 of 2022 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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