

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19249 of 2023

Arising Out of PS. Case No.-145 Year-2022 Thana- PATEPUR District- Vaishali

1. Manjit Paswan Son of Tetar Paswan R/V- Lohani Patti, P.S- Patepur Dist- Vaishali
2. Akal Paswan Son of Antu Paswan @ Anand Paswan R/V- Lohani Patti, P.S- Patepur Dist- Vaishali
3. Raj Kumar Paswan Son of Tetar Paswan R/V- Lohani Patti, P.S- Patepur Dist- Vaishali
4. Shivnath Paswan Son of Mahesh Paswan R/V- Lohani Patti, P.S- Patepur Dist- Vaishali
5. Sunil Paswan Son of Ganaur Paswan R/V- Lohani Patti, P.S- Patepur Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-06-2023 Heard Mr. Sunil Kumar Singh, learned counsel

appearing on behalf of the petitioners and learned Additional

Public Prosecutor for the State.

The petitioners are apprehending their arrest in connection with Patepur P.S. Case No. 145 of 2022, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 354(B), 379, 307, 504, 506 of the Indian Penal Code.

It is alleged that while the male members of the informant had gone in the neighbourhood on the eve of



marriage, all the named accused persons in the FIR barged into the house of the informant armed with weapons and all the accused persons, including the petitioners, assaulted the informant and her family members.

Learned counsel appearing on behalf of the petitioners submits that from perusal of the FIR, it is evident that the specific allegation has been levelled against three accused persons, namely, Ram Bilas Paswan, Guddu Paswan and Ram Ishwar Paswan. So far these petitioners are concerned, they are said to be only members of the mob and no specific allegation has been made. He further submits that prior to the institution of this case *fardbeyan* of Guddu Paswan was recorded on 07.06.2022 in the emergency ward of Sadar Hospital, Hajipur which subsequently registered as Patepur P.S. Case No. 155 of 2022. He next submits that in fact on account of land dispute a free fight has taken place between the parties which resulted into injuries to the persons of both the sides, however, the prosecution has failed to explain the injuries sustained over the persons of the petitioners' side. He next submitted that the petitioners are having fair antecedent and they are ready to give undertaking that they will not indulge in any such kind of offence in future and they will fully cooperate in the



investigation.

On the other hand, learned counsel for the State opposed the bail application and submits that the petitioners along with other accused persons in furtherance of common intention assaulted the informant and her family members.

Regard being had to the submissions made on behalf of the parties and considering the general and omnibus allegation against the petitioners, apart from the fair antecedent and the land dispute between the parties, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Judicial Magistrate 1st Class, Vaishali at Hajipur in connection with Patepur P.S. Case No. 145 of 2022, subject to the conditions laid down in Section 438(2) Cr.P.C.

(Harish Kumar, J)

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