

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20014 of 2023

Arising Out of PS. Case No.-583 Year-2022 Thana- BIDUPUR District- Vaishali

Sanjeev Kumar @ Sanjeev Paswan Son Of Santlal Bhagat @ Santlal Paswan
R/O Village- Mustafapur, P.S.- Bidupur, District- Vaishali At Hajipur
(BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Md. Ataur Rahman, APP
For the Informant	:	Mr. Ranjit Kumar Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bidupur P.S. Case no.583 of 2022 registered under sections 307, 147, 148, 149, 341, 447, 448, 323, 324, 384, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the 17 named accused persons as also 100 unknown accused persons came variously armed, demanded *rangdari* of Rs. 2 lakhs before they would be permitted to start construction work on the land in question and thereafter it is stated that the accused persons started to assault the informant and others. Shyam Babu Bhagat assaulted the informant with a *kudal* on his



head. Specific allegation of assault is also on Hiromani Devi, Sanjay Paswan, Kaju Paswan, Ratan Paswan, Vijendra Paswan as also the petitioner herein.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. From the contents of the F.I.R, it would be evident that besides the 17 named accused persons wherein the petitioner is named as an accused, F.I.R is also against 100 unknown accused persons. Shyam Babu Bhagat, Sanjay Paswan and Heera Paswan have been enlarged on bail vide order dated 11.5.2023 passed in Cr. Misc. no.13799 of 2023. The petitioner is in custody since 10.12.2022 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner is named in the F.I.R but there is specific allegation of assault against him. Further referring to the order of the learned trial Court, it is submitted that so far as the injury report is concerned, multiple injuries were found over the body of the injured and the opinion of doctor is reserved.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R



against a total of 117 accused persons, grant of bail to the F.I.R named co-accused Shyam Babu Bhagat, Sanjay Paswan and Heera Paswan vide aforesaid order dated 11.5.2023, there being case and counter case between the parties, the petitioner being in custody for 5 months since 10.12.2022 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Bidupur P.S. Case no.583 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Vaishali, Hajipur.

(Partha Sarthy, J)

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