

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21295 of 2023

Arising Out of PS. Case No.-344 Year-2021 Thana- LAKHISARAI District- Lakhisarai

Shyam Sundar Paswan, Son of Rmachandra Paswan, Resident of Village
Kishanpur, P.S Amahara, District Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Munish Kumar, Advocate Ms. Minakshi Kumari, Advocate Mr. Munna Raj, Advocate
For the Opposite Party/s :	Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Lakhisarai (Amahra) P.S. Case No. 344
of 2021 registered for the offences punishable under Sections
341, 323, 325, 447, 354(B), 379, 504, 506/34 of the Indian
Penal Code. He has got no criminal antecedent.

As per the prosecution story, on 03.06.2021 at 07:00
P.M., co-accused Jitendra Paswan climbed at the floor of the
informant and teased the niece of the informant, when the
informant objected to his act, he pointed pistol towards him. It is
alleged that he snatched the mobile of his niece and golden
chain from the neck of his wife and fled away. At 08:00 P.M., all
accused persons including this petitioner came at the door of the



informant and started abusing him. When the maternal uncle of his niece forbade them not to abuse, all the accused persons started assaulting him and outraged the modesty of the Bhabhi of the informant. It is also alleged that the accused persons took away one attachi containing Rs.1000/-, Golden bali, clothes etc. and co-accused Jitendra Paswan threatened the informant's side not to lodge FIR otherwise he will kill them.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that both the sides are close door neighbours. It is submitted that there is no specific allegation against the petitioner.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is submitted that both the parties are close door neighbours, there were some dispute over petty matters and so far as the allegations of Sections 379 and 354(B) of the IPC are concerned, the same have been made against co-accused Jitendra Paswan and not against the petitioner, the petitioner has otherwise no criminal antecedent, hence, this Court directs that in case of his arrest or surrender within a period of four weeks



from today, the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai (Amahra) P.S. Case No. 344 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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