

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20868 of 2023

Arising Out of PS. Case No.-253 Year-2022 Thana- OBRA District- Aurangabad

1. MANTOSH KUMAR S/o- RAJENDRA PASWAN Village- Mahadewa Ps- Obra Dist- Aurangabad
2. Santosh Kumar son of Rajendra Paswan Village- Mahadewa Ps- Obra Dist- Aurangabad
3. Arun Kumar son of Rajendra Paswan Village- Mahadewa Ps- Obra Dist- Aurangabad
4. Pappu Paswan @ Pappu Kumar son of Late Amika Paswan Village- Mahadewa Ps- Obra Dist- Aurangabad
5. Lasuman Paswan son of Kamata Paswan Village- Mahadewa Ps- Obra Dist- Aurangabad
6. Kanhai Paswan son of Mangal Paswan Village- Mahadewa Ps- Obra Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-06-2023 Heard Mr. Ashok Kumar Singh, learned counsel for the petitioners and Mr. Tarun Prasad Mandal, learned Additional Public Prosecutor for the State.

2. Petitioners apprehend their arrest in connection with Obra PS Case No. 253/2022 dated 20.06.2022 registered for the offence punishable under Sections 341, 323, 307, 504, 379/34 of the IPC.

3. As per allegation made in the FIR, the petitioner



No.1 assaulted the informant by means of *Garasa* on his head, due to which he sustained injury and petitioners Nos. 2 to 6 have allegedly snatched the valuables of the informant except petitioners no.3 and 5.

4. Learned counsel for the petitioners submits the petitioners have falsely been implicated in this case and the allegation of assault is only upon petitioner no.1 and there is no allegation of assault against petitioners No. 2 to 6. He next submits that both the parties are agnates and there is previous dispute between them. A counter case bearing Obra PS Case No. 258/2022 has also been lodged by mother of the petitioner no.1 against the informant and others. Referring to the impugned order, learned counsel submits that injury caused to the informant is simple in nature.

5. Regards being had to the submissions made by the parties, taking into consideration the fact that both the parties are agnates, there is a case and counter case between the parties and the injury caused to the informant is simple in nature, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, let the petitioners, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.



10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Daudnagar, Aurangabad in connection with Obra PS Case No. 253/2022, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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