

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28973 of 2023

Arising Out of PS. Case No.-102 Year-2022 Thana- BANGAWON District- Saharsa

1. Jay Karan Paswan Son Of Late Domi Paswan Resident Of Village - Dholi, Ward No. 07, P.S. - Bangoan, Distt. - Saharsa
2. Bablu Paswan @ Babaloo Paswan Son Of Late Domi Paswan Resident Of Village - Dholi, Ward No. 07, P.S. - Bangoan, Distt. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Jha

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 02-12-2023 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

2. The petitioners seek regular bail in connection with Bangoan P.S. Case No. 102 of 2022 registered for the offence under Sections 147, 148, 149, 341, 323, 324, 379, 302, 307, 506, 34 of the Indian Penal Code.

3. As per prosecution case, the petitioners along with co-accused persons have said to assaulted the informant as well as his family members due to which they sustained injury. Special allegation against petitioner no.1 Jay Karann Paswan who assaulted the uncle of the informant by means of *Farsa* due to which he sustained injury thereafter he died.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Both parties are agnates and due to some dispute the alleged occurrence was occurred and these petitioners have falsely been implicated in this case due to . There is no specific allegation against the petitioner no.2 of assaulting to the deceased. It is further submitted that the petitioner nos 1 & 2 are languishing in judicial custody since 6.9.2022 and 24.10.2022 respectively.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the petitioner no.1 Jaikaran Paswan has specifically been alleged to assault on the head of the informant's uncle i.e deceased (Radhe Paswan) by means of *Farsa* due to which he sustained injury and died on the way to hospital. Witnesses of the case have also supported the prosecution case.

6. Considering the fact that there is general and omnibus allegation against the petitioner no.2 namely, Bablu Paswan, this court is inclined to enlarge him on bail. The above named **petitioner no.2** is directed to be released on bail in connection with Bangoan P.S. Case No. 102 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa.

7. So far as petitioner no. 1 namely, Jay Karan Paswan is concerned, there is specific allegation of assaulting to the deceased attributed to him, this Court is not inclined to enlarge him on bail as such, his prayer of bail stands rejected.

8. The trial court is directed to expedite and conclude the trail as early as possible.

(Sunil Kumar Panwar, J)

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