

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28418 of 2023

Arising Out of PS. Case No.-272 Year-2022 Thana- TEKARI District- Gaya

Sukumar Paswan @ Shiv Kumar Ram Son Of Bhajan Paswan @ Ram Bhajan
Paswan R/O Village- Amakuvan, P.S.- Tekari, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Binod Murari Mishra, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Tekari P.S. Case No. 272 of 2022 registered for the offences punishable under Sections 447, 448, 341, 323, 324, 307, 379, 504, 427/34 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, on 16.05.2022 at about 06:00 A.M., all the accused persons including this petitioner armed with deadly weapons started demolishing the boundary wall and when the informant protested, all the accused persons assaulted his brother and father due to which they sustained head injuries. It is alleged that the accused persons also snatched away golden bajranbali worth Rs.46,000/- from the neck of his brother, killed 80 hens and took away



Rs.10,000/- from the cash counter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case over a land dispute. It is submitted that the allegations are general and omnibus.

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

6. Having regard to the facts and circumstances of the case, in the nature of the submissions showing that there are general and omnibus kind of allegations against the named accused persons that they came armed with deadly weapons, started demolishing the boundary wall and when they protested, they assaulted the informant and his other family members, one grievous injury has been caused to the injured victim Dev Kumar Yadav but has not been specifically attributed to this petitioner, the allegations being general and omnibus in case of a land dispute and this petitioner has 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 in connection with Tekari P.S. Case No. 272 of 2022 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 A.C.J.M.-VI, Gaya, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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