

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25487 of 2023

Arising Out of PS. Case No.-336 Year-2022 Thana- BIDUPUR District- Vaishali

1. MANOJ PASWAN S/O FULCHAND PASWAN @ FULCHAND BHAGAT Resident of Village- Chakhasan Chauksan Ward No- 2, P.S.- Bidpur, District- Vaishali, Hazipur.
2. FULCHAND PASWAN @ FULCHAND BHAGAT S/O LATE SUKUL PASWAN @ SUKUL BHAGAT Resident of Village- Chakhasan Chauksan Ward No- 2, P.S.- Bidpur, District- Vaishali, Hazipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiva Ranjan, Advocate.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-07-2023 Heard Mr. Rajiva Ranjan, learned counsel for the petitioners and Mr. Aditya Narayan Singh, learned Additional Public Prosecutor appearing for the State.

2. After some argument, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application of petitioner No. 1 with liberty to seek regular bail before the learned District Court.

3. Permission is granted.

4. Accordingly, this anticipatory bail application against petitioner No. 1 is dismissed as withdrawn.

5. So far as petitioner No. 2 namely, Fulchand Paswan @ Fulchand Bhagat is concerned, he apprehends his



arrest in connection with Bidupur P.S. Case No. 336 of 2022 dated 01.07.2022 registered for the offence punishable under Sections 147, 148, 149, 341 and 323 of the Indian Penal Code.

6. Regarding allegation of petitioner No. 2 namely, Fulchand Paswan @ Fulchand Bhagat, learned counsel for the petitioners submits that there is no allegation of assault against petitioner No. 2 who is 65 years old. There is specific allegation of assault against five accused persons who allegedly assaulted the sister of the informant including Manoj Paswan (Petitioner No. 1). He next submits that no injury has been found on the person of the informant as would be evident from the impugned order.

7. Regards being had to the submission made by the parties and taking into consideration the fact that petitioner No. 2 namely, Fulchand Paswan @ Fulchand Bhagat is not one of the assailant and he is 65 years of age, I am inclined to grant anticipatory bail to the petitioner No. 2 namely, Fulchand Paswan @ Fulchand Bhagat .

8. Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner No. 2, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali, Hajipur, in connection with Bidipur P.S. Case No. 336 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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