

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31195 of 2022

Arising Out of PS. Case No.-12 Year-2022 Thana- KHIRHAR District- Madhubani

1. DHARMENDRA PASWAN @ DEVENDRA SON OF SHIV KUMAR PASWAN R/O VILLAGE- HISAR, P.S.- KHIRHAR, DISTRICT- MADHUBANI
2. RAJU PASWAN @ RAJEEV KUMAR PASWAN SON OF SHIV KUMAR PASWAN R/O VILLAGE- HISAR, P.S.- KHIRHAR, DISTRICT- MADHUBANI
3. ASHOK PASWAN SON OF RAM KISHUN PASWAN R/O VILLAGE- HISAR, P.S.- KHIRHAR, DISTRICT- MADHUBANI
4. INDESHWAR PASWAN SON OF RAM KISHUN PASWAN R/O VILLAGE- HISAR, P.S.- KHIRHAR, DISTRICT- MADHUBANI
5. SUNITA DEVI WIFE OF SHIV KUMAR PASWAN R/O VILLAGE- HISAR, P.S.- KHIRHAR, DISTRICT- MADHUBANI
6. DILIP PASWAN @ SHIV RAM KUMAR SON OF ASHOK PASWAN R/O VILLAGE- HISAR, P.S.- KHIRHAR, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 44143 of 2022

Arising Out of PS. Case No.-12 Year-2022 Thana- KHIRHAR District- Madhubani

1. SHIV KUMAR @ SHIV KUMAR PASWAN Son of Ram Kishun Paswan Resident of Village - Hisar, P.S.- Khirhar, District - Madhubani.
2. Rmashish Paswan @ Ram Ashish Paswan Son of Suraj Paswan Resident of Village - Hisar, P.S.- Khirhar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 31195 of 2022)

For the Petitioner/s : Mr. Shailendra Kumar Jha, Adv.

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

(In CRIMINAL MISCELLANEOUS No. 44143 of 2022)

For the Petitioner/s : Mr. Shailendra Kumar Jha, Adv.

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



CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

8 23-03-2023 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in connection with Khirhar P.S. Case No. 12 of 2022 registered under Sections 143, 341, 323, 325, 308, 379, 447, 504 and 506/34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case due to land dispute. Further submission is that the allegation of assaulting Satyadeo Paswan by means of *Khanti* is against co-accused Ram Bharosh Paswan and not against these petitioners. The present case is counterblast of Khirhar P.S. Case No. 13 of 2022 filed by petitioner no. 3. He also submits that petitioner no. 2, namely, Raju Paswan @ Rajeev Kumar Paswan is not named in the F.I.R. Petitioners have got no criminal antecedent.

Learned A.P.P. appearing on behalf of the State opposed the prayer of petitioner nos. 1, 3, 5 and 6 by contending that there is direct allegation against these petitioners of assaulting the informant and his family members on their vital parts of their bodies. Hence, they do not deserve the privilege of



anticipatory bail.

Having considered the facts and circumstances of the case, let the petitioners namely, Raju Paswan @ Rajeev Kumar Paswan, Indeshwar Paswan, Shiv Kumar @ Shiv Kumar Paswan and Rmashish Paswan @ Ram Ashish Paswan, be released on bail, in the event of arrest or surrender before the learned court below within a period of four weeks from today, on furnishing personal bonds each to the satisfaction of the Sub-Divisional Judicial Magistrate, Benipatti, Madhubani in connection with Khirhar P.S. Case No. 12 of 2022, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

So far as, petitioner nos. 1, 3, 5 and 6 namely, Dharmendra Paswan @ Devendra, Ashok Paswan, Sunita Devi and Dilip Paswan @ Shiv Ram Kumar respectively are concerned, their prayer for bail is, hereby, rejected.

(Arvind Srivastava, J)

utkarsh/-

U		T	
---	--	---	--

