

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42518 of 2023

Arising Out of PS. Case No.-94 Year-2023 Thana- FATUA District- Patna

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1. AJAY PASWAN Son of Krishna Paswan Resident of Village - Jafrabad, P.S.- Fatuha, District - Patna
 2. Uday Paswan Son of Krishna Paswan Resident of Village - Jafrabad, P.S.- Fatuha, District - Patna
 3. Kanhai Paswan @ Kanhaiya Paswan Son of Krishna Paswan Resident of Village - Jafrabad, P.S.- Fatuha, District - Patna
 4. Gautam Paswan @ Gautam Kumar Son of Uday Paswan Resident of Village - Jafrabad, P.S.- Fatuha, District - Patna
 5. Gaurav Paswan @ Gaurav Kumar Son of Uday Paswan Resident of Village - Jafrabad, P.S.- Fatuha, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 341, 307, 504/34 of the Indian Penal Code.
3. Learned counsel for the petitioners at the outset seeks permission to withdraw the anticipatory bail application with respect to petitioner No. 1.
4. Permission is accorded.



5. Learned counsel for the petitioners next submits that petitioners are persons with clean antecedent and the informant alleges that on account of dispute relating to sowing of maze crop an altercation took place and Ajay Paswan assaulted her husband by an iron rod causing injury on head thereafter Bipin Paswan, petitioner no. 3, petitioner no. 2 and Ajay Paswan assaulted informant and Niranjan Paswan with an iron rod and lathi causing injury and petitioner Nos. 4 and 5 dashed Sanju Devi and snatched her gold chain.

6. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that even presuming what has been alleged is true without admitting then the injury suffered by the informant and Niranjan is simple in nature which amply demonstrates that petitioner Nos. 3 and 2 had no intention of committing any serious occurrence, it is next submitted that allegation of snatching gold chain is ornamental in nature and there is a case and a counter-case and the parties are agnates.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

8. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Fatuha P.S. Case No. 94 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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