

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46174 of 2023

Arising Out of PS. Case No.-236 Year-2021 Thana- DAUDNAGAR District- Aurangabad

SANJAY PASWAN @ SANJAY KUMAR S/O BIJNANDAN PASWAN @
BRIJNANDAN PASWAN R/O VILLAGE- SHAMSHER NAGAR, VIKASH
TOLA, DUSHADH TOLI, PS. DAUDNAGAR, DIST. AURANGABAD
(BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 46367 of 2023

Arising Out of PS. Case No.-236 Year-2021 Thana- DAUDNAGAR District- Aurangabad

VIKASH KUMAR @ VISHWANATH PASWAN @ VIKASH PASWAN Son
of Bijnandan Paswan @ Brijnandan Paswan Resident of Village - Shamshe
Nagar, Vikash Tola, Dushadh Toli, P.S.- Daudnagar, District - Aurangabad
(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 46174 of 2023)

For the Petitioner/s : Mr. Aman Vishal

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

(In CRIMINAL MISCELLANEOUS No. 46367 of 2023)

For the Petitioner/s : Mr. Aman Vishal

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a
case instituted for the offence under Sections 147, 149, 341,
323, 448, 307, 504 of the Indian Penal Code and later on



Section 302 of the IPC.

3. As per prosecution case, it is alleged that on 30.04.2021, while the informant was in her house, in the meanwhile, Raju Paswan made a call on her mobile started abusing thereafter, the informant with his father-in-law, son and others went to the house of the accused and made a complaint thereupon all the FIR named accused persons brutally assaulted the informant, his father-in-law and other person, later on, father-in-law of the informant succumbed to injuries.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. There is general and omnibus allegation against these petitioners and no specific overt act of assaulting against these petitioners. Both the sides are gotiya and in fact, there was a free fight, which had taken place between both the parties and due to which the deceased sustained some injuries. Moreover, the investigation of the crime has already been concluded and charge-sheet has been submitted. He further submitted that the others co-accused have already been granted bail by a Co-ordinate Bench vide order dated 13.07.2022 passed in Cr. Misc. No. 47469 of 2021. They are languishing in judicial custody since 17.04.2023.



5. The application for bail is opposed by learned APP
for the State.

6. Having heard learned counsel for the parties and
considering the facts and circumstances of the case, this court is
inclined to enlarge the petitioners on bail. The above named
petitioners are directed to be enlarged on bail on furnishing bail
bond of Rs. 10,000/- (Rs. ten thousand only) each with two
sureties of the like amount each to the satisfaction of the learned
Court below in connection with Daudnagar P.S. Case No. 236 of
2021.

(Sunil Kumar Panwar, J)

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