

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45302 of 2023

Arising Out of PS. Case No.-89 Year-2020 Thana- SIMRI District- Darbhanga

1. Satto Devi Wife of Prabhu Paswan, Resident of village - Harpur, Police Station - Simri, District - Darbhanga.
2. Kishan Paswan @ Krishna Paswan Son of Prabhu Paswan, Resident of village - Harpur, Police Station - Simri, District - Darbhanga.
3. Dharmendar Paswan @ Sharmendra Paswan Son of Prabhu Paswan, Resident of village - Harpur, Police Station - Simri, District - Darbhanga.
4. Bishnu Paswan Son of Prabhu Paswan, Resident of village - Harpur, Police Station - Simri, District - Darbhanga.
5. Sokendra Paswan @ Shakindra Paswan Son of Late Narayan Paswan, Resident of village - Harpur, Police Station - Simri, District - Darbhanga.
6. Domu Paswan Son of Late Narayan Paswan, Resident of village - Harpur, Police Station - Simri, District - Darbhanga.
7. Chhotu Paswan Son of Late Bhola Paswan, Resident of village - Harpur, Police Station - Simri, District - Darbhanga.
8. Ram Sherest Paswan @ Ram Shreshth Paswan Son of Chulhai Paswan, Resident of village - Harpur, Police Station - Simri, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

2. The petitioners are apprehending arrest in connection with Simri P. S. Case No. 89 of 2020 registered on 02.05.2020 for the offences punishable under Sections 147, 148, 341, 323, 324, 379 and 308 of the Indian Penal Code.

3. According to the prosecution, the informant has lodged this case against 8 named accused persons. From the content of F.I.R., it transpires that the dispute took place between the informant's side with petitioners' side with a view to grazing cattle in the field of the informant due to which scuffling took place and allegation of assaulting are there by the accused persons to the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. Counsel further submits that the present case has been filed by the informant with a view to create defence in his favour, as the petitioners' side has filed Mahila P.S. Case No. 21 of 2020 under I.P.C. and SC/ST Act. Counsel further submits that the present F.I.R. is the result of creating defence in favour of the informant. He further submits that a compromise petition has also been filed before District and Sessions Judge, Darbhanga in ABP but this aspect has not been considered at the time of passing order on bail petition. Counsel also submits that antecedent of the petitioners are clean.

5. Learned APP for the State opposes the prayer for bail.

6. In the aforesaid facts and circumstances, let the

above-named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Thirty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Simri P.S. Case No. 89 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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