

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45861 of 2023

Arising Out of PS. Case No.-135 Year-2023 Thana- PIPRA District- East Champaran

1. SUBHASH PASWAN SON OF PUNDEV PASWAN RESIDENT OF VILLAGE- TIKULIYA PS- PIPRA, DIST- EAST CHAMPARAN, MOTIHARI
2. NAGENDRA PASWAN SON OF PUNDEV PASWAN RESIDENT OF VILLAGE- TIKULIYA, PS- PIPRA, DIST- EAST CHAMPARAN, MOTIHARI
3. PUNDEO PASWAN SON OF LATE GANESH PASWAN RESIDENT OF VILLAGE- TIKULIYA, PS- PIPRA, DIST- EAST CHAMPARAN, MOTIHARI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-09-2023

1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Pipra PS Case No. 135 of 2023 dated 26-04-2023 registered under Sections 341, 342, 323, 353, 354(B), 504, 509, 34, 506 of the I.P.C.

3. As per the First Information Report on 26-04-2023 one Shushila Devi lodged a complaint before the Police stating therein that the co-accused Pundeo Paswan [petitioner no. 3] and his family members are not allowing her to construct house on her land and they are abusing her. On the basis of the said complaint, the informant - Police Officer along with the Police



party arrived at the place of occurrence and tried to pacify the matter. The Police party told both the parties to produce relevant documents regarding the land in order to get the dispute settled. Thereafter, all the F.I.R. named accused persons including the petitioners became furious and they started abusing and scuffling with the Police party. It has been alleged that the F.I.R. named accused persons including the petitioners and 4-5 persons torn the clothes of the Police party, misbehaved with the female members of the Police party however upon arrival of additional Police force, the accused persons succeeded in fleeing away and one of them Maniya Devi was apprehended by the Police.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case due to land dispute between Shushila Devi and the petitioners and their family members. He further submits that allegation against the petitioners is general and omnibus in nature, however, one of the family members of the petitioners namely, Maniya Devi was arrested by the Police on the spot. The petitioners are having no criminal antecedent.

5. Regard being had to the submissions made by the parties, taking into consideration the fact that there is admitted



land dispute between the parties, allegation against the petitioners is general and omnibus in nature and the petitioners have got no criminal antecedent, as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., East Champaran, Motihari in connection with Pipra PS Case No. 135 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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