

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49352 of 2022**

Arising Out of PS. Case No.-43 Year-2022 Thana- BAHERA District- Darbhanga

1. AMARJEET PASWAN Son of Devendra Paswan
2. Sopindra Paswan @ Sopindar Paswan @ Ballu Paswan Son of Vir Paswan
3. Nathuni Paswan Son of Sopindra Paswan @ Sopindar Paswan @ Ballu Paswan

All the petitioners are resident of Village - Jayantipur, P.S.- Bahera, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha, Advocate
For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioners and the learned APP for the State through virtual mode in view of COVID-19.

The petitioners apprehend their arrest in connection with Bahera P.S. Case No.43 of 2022 instituted under Sections 447,341,323,308,325 and 34 of the IPC.

As per the prosecution story, the accused persons entered the 'Aangan' of the informant armed variously and damaged the wheat crops as also assaulted the informant on her head causing bleeding, the said allegation is on petitioner no.2, Sopindra Paswan. Further, against other accused persons, omnibus allegation is that they tried to outrage the modesty of



her mother and the other family members (Amarjeet Paswan) was also assaulted.

Learned counsel for the petitioners submits that so far as the petitioner no.1 and 3 are concerned, omnibus allegation are there. Regarding Sopindra Paswan, the injury inflicted on the informant has been found to be simple in nature which he has brought on record by way of Annexure-2. Lastly he submits that none of the petitioners are having criminal antecedent.

Further in view of the fact that the lady has claimed injury, without taking into account the outcome of the present petition, the petitioners on their own will be providing Rs.25,000/- as medical assistance to the informant which will be given through Bank Draft issued by the local State Bank of India and submitted before the 'Nazarat' of the concerned court to be handed over to the lady after checking her credentials. Further submissions is that both sides have also compromised the matter.

Learned APP on the other hand opposes the prayer for anticipatory bail stating that they have assaulted a lady.

Taking into account the fact that there is omnibus allegation against petitioner no.1 and 3, so far as petitioner no.2 is concerned the same has been found to be simple in nature,



they do not have criminal antecedent and further are providing medical assistance as stated above, this Court is inclined to grant them relief subject to the payment of amount as stated above.

Let the petitioners be released on bail, in the event of their arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Bahera P.S. Case No.43 of 2022 to the satisfaction of learned ACJM, Benipur, Darbhanga, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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