

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52268 of 2022

Arising Out of PS. Case No.-132 Year-2021 Thana- GURARU District- Gaya

1. RAJA RAM PASWAN S/o Late Basant Paswan Resident of Village- Kameshwar Nagar, P.S.- Konch, District- Gaya.
2. Birju Paswan S/o Shyamdeo Paswan Resident of Village- Kameshwar Nagar, P.S.- Konch, District- Gaya.
3. Surendra Paswan S/o Rajendra Paswan Resident of Village- Kameshwar Nagar, P.S.- Konch, District- Gaya.
4. Shokhinder Paswan @ Sokendra Paswan S/o Veera Paswan Resident of Village- Kameshwar Nagar, P.S.- Konch, District- Gaya.
5. Parshuram Paswan Pasuram Paswan S/o Late Basant Paswan Resident of Village- Kameshwar Nagar, P.S.- Konch, District- Gaya.
6. Indu Paswan S/o Shivam Paswan Resident of Village- Kameshwar Nagar, P.S.- Konch, District- Gaya.
7. Raju Paswan S/o Shivan Paswan Resident of Village- Kameshwar Nagar, P.S.- Konch, District- Gaya.
8. Sitaram Paswan S/o Late Basant Paswan Resident of Village- Kameshwar Nagar, P.S.- Konch, District- Gaya.
9. Bholu Paswan S/o Raju Paswan Resident of Village- Kameshwar Nagar, P.S.- Konch, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

7 16-02-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.



The petitioners are apprehending their arrest in a case registered for the offences punishable u/s 147, 504, 323, 337, 307 and 379 read with Section 34 of the Indian Penal Code.

As per the prosecution case, the petitioners armed with iron rod started abusing the informant and the petitioner Raja Ram Paswan assaulted him with iron rod causing broken head injury. Other petitioners also assaulted the prosecution party with iron rod. The petitioner Surendra Paswan assaulted Yogendra Paswan with iron rod causing broken head injury. The co-accused Pappu Paswan also assaulted Praveen Paswan with iron rod causing head injury and the accused persons threatened the informant and made the villagers afraid saying that they were members of the M.C.C.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is specific allegation against the petitioner no.1 Raja Ram Paswan and Surendra Paswan but the injured have sustained injuries which is simple in nature. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

Considering the aforesaid facts and circumstances as



well as injury being simple in nature caused by hard and blunt substance, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Gaya in connection with Guraru P.S. Case No. 132 of 2021, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with a condition:-

The court below shall verify the criminal antecedent of the petitioners and at any stage, if it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Chandra Prakash Singh, J)

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