

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53780 of 2022

Arising Out of PS. Case No.-218 Year-2022 Thana- SAHPUR District- Patna

1. AMARNATH PASWAN @ AMARNATH KUMAR Son of Sri Parmanand Paswan @ Parmanand Ram Resident of village - Raghurampur, P.O.- Chandmari, P.S.- Sahpur, Distt.- Patna.
2. Dharmendra Paswan @ Dharmendra Kumar Son of Sri Parmanand Paswan @ Parmanand Ram Resident of village - Raghurampur, P.O.- Chandmari, P.S.- Sahpur, Distt.- Patna.
3. Avinash Paswan @ Avinash Kumar Son of Sri Nagendra Paswan Resident of village - Raghurampur, P.O.- Chandmari, P.S.- Sahpur, Distt.- Patna.
4. Anshu Paswan @ Avishek Kumar Son of Sri Nagendra Paswan Resident of village - Raghurampur, P.O.- Chandmari, P.S.- Sahpur, Distt.- Patna.
5. Amarjeet Paswan @ Amarjeet Kumar Son of Sri Santlal Paswan Resident of village - Raghurampur, P.O.- Chandmari, P.S.- Sahpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 53963 of 2022

Arising Out of PS. Case No.-218 Year-2022 Thana- SAHPUR District- Patna

1. SUDHIR PASWAN @ PINTU PASWAN @ SUDHIR KUMAR Son of Sri Ramanand Paswan @ Ramanand Ram Resident of Village- Raghurampur, P.O- Chandmari, P.S- Sahpur, District- Patna
2. Sumit Paswan @ Sumit Kumar Son of Sri Sunil Kumar @ Sunil Paswan Resident of Village- Raghurampur, P.O- Chandmari, P.S- Sahpur, District- Patna
3. Nitish Kumar Son of Late Munna Paswan Resident of Village- Raghurampur, P.O- Chandmari, P.S- Sahpur, District- Patna
4. Sonu Paswan @ Sonu Kumar Son of Sri Sunil Paswan Resident of Village- Raghurampur, P.O- Chandmari, P.S- Sahpur, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s



Appearance :

(In CRIMINAL MISCELLANEOUS No. 53780 of 2022)

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Arun Kumar Singh
Mr.Satish Chandra

(In CRIMINAL MISCELLANEOUS No. 53963 of 2022)

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Bharat Bhushan,APP
Mr.Satish Chandra, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 09-01-2023 As both the applications have cropped up from the same

F.I.R., hence aforesaid two applications are being heard together

and disposed of by this common order.

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

Learned counsel for the petitioners is directed to remove
the defects within four weeks.

Supplementary affidavit has been filed by learned counsel
for the petitioner in the Court today in both the cases.

The same are taken and kept on record.

The petitioners apprehend their arrest in a case registered
for the offence punishable u/s 147, 149, 448, 341, 323, 324, 325,
307, 354B, 379, 427, 504, 506 of the IPC.

The allegation against the petitioners is that they along
with other accused persons at the first instance damaged the
vehicle of informant by lathi, rod and bricks and thereafter they
assaulted the informant and his family members.



It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to grudge. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that both the parties are neighbors and on account of a petty dispute, a scuffle took place between the parties. For the alleged occurrence there is a case and counter-case between the parties and the injuries are simple in nature, which fact has also come in the order passed in Cr. Misc. No.54216 of 2022 dated 22.12.2022. Petitioner Dharmendra Paswan @ Dharmendra Kumar and petitioner Nitish Kumar have one criminal antecedent each, as per para-2 of the supplementary affidavits filed in respective cases. Rest of the petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the injuries are simple in nature, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/-



(Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Sahpur P.S. Case No.218 of 2022, corresponding to G.R. No.1976 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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