

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53852 of 2022

Arising Out of PS. Case No.-96 Year-2022 Thana- ADAPUR District- East Champaran

1. Ram Pravesh Paswan Son Of Jay Nath Paswan @ Jay Nath Hajra R/V- Dhabadhabwa, P.S- Adapur, Dist- East Champaran
2. Santosh Paswan Son Of Jay Nath Paswan @ Jay Nath Hajra R/V- Dhabadhabwa, P.S- Adapur, Dist- East Champaran Motihari
3. Krishna Mohan Prasad Son Of Late Kedar Sah R/V- Dhabadhabwa, P.S- Adapur, Dist- East Champaran Motihari
4. Mukesh Prasad Son Of Sunil Sah R/V- Dhabadhabwa, P.S- Adapur, Dist- East Champaran Motihari
5. Nilesh Sah @ Nilesh @ Mithlesh Sah Son Of Siya Ram Sah R/V- Dhabadhabwa, P.S- Adapur, Dist- East Champaran Motihari
6. Alok Sah Son Of Supindu Sah @ Suehindra Sah R/V- Dhabadhabwa, P.S- Adapur, Dist- East Champaran Motihari
7. Mahesh Paswan Son Of Bishwanath Paswan R/V- Dhabadhabwa, P.S- Adapur, Dist- East Champaran Motihari

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners undertakes to
remove the defect(s), as pointed out by the office, within four
weeks.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 341, 323, 324, 325, 354(B), 307, 379, 504 and 34 of the



Indian Penal Code.

The allegation against all the petitioners is that they have assaulted the informant and his family members. There is further allegation against the petitioners that they tried to outrage the modesty of female family members of the informant.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is case and counter case between the parties. He submits that there is allegation against one Krishna Mohan Prasad, who gave sword blow on the head of the elder brother of the informant. He submits that the injury found on the head was grievous in nature. He submits that the petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned counsel for the State opposes the prayer for anticipatory bail.

Considering the facts and circumstances of case as well as the fact that except petitioner no. 3, there is general and omnibus allegation against petitioner nos. 1, 2, and 4 to 7, let the above named petitioners no.1, 2, 4, 5, 6 and 7 be released on



bail, in the event of his 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) 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 Adapur P.S. Case No. 96 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

As specific over act has been attributed against petitioner no. 3 and also the fact that the allegation against him is serious in nature, I am not inclined to enlarge him on anticipatory bail. Accordingly, the prayer for anticipatory bail of petitioner no. 3 is hereby rejected.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

