

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 58674 of 2023

Arising Out of PS. Case No.-108 Year-2022 Thana- TANDWA District- Aurangabad

1. Dhananjay Paswan Son Of Rajdeo Paswan Resident Of Village - Kanchan, P.S. - Tandwa, District - Aurangabad (BIHAR)
2. Sonu Paswan Son Of Dhananjay Paswan Resident Of Village - Kanchan, P.S. - Tandwa, District - Aurangabad (BIHAR)
3. Ashok Paswan Son Of Janki Paswan Resident Of Village - Kanchan, P.S. - Tandwa, District - Aurangabad (BIHAR)
4. Sanjay Paswan Son Of Suryadeo Paswan Resident Of Village - Kanchan, P.S. - Tandwa, District - Aurangabad (BIHAR)
5. Lalu Paswan Son Of Suryadeo Paswan Resident Of Village - Kanchan, P.S. - Tandwa, District - Aurangabad (BIHAR)
6. Nitish Paswan @ Nitish Kumar Son Of Lalu Paswan Resident Of Village - Kanchan, P.S. - Tandwa, District - Aurangabad (BIHAR)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 13-09-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 324, 325, 448, 307, 354, 354(b), 379 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been lodged against 8 named accused persons. The specific allegation against Lalu Paswan and Dhananjay Paswan are to assault the

informant's son, due to which injury caused.

4. Learned counsel for the petitioners submits that both informant and petitioners' side belongs to the same village and there is a long pending dispute going on between them. There are case and counter case and injury caused from both the sides. Counsel submits that the F.I.R. filed by the informant's side is one Tandwa P.S. Case No. 108 of 2022 whereas, another F.I.R. bearing Tandwa P.S. Case No. 111 of 2022 has filed from the petitioners' side.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. In the present facts and circumstances of the case and the submissions made above, let the above named petitioner nos. 2, 3, 4 & 6 be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks' from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand Only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad (Bihar), in connection with Tandwa P.S. Case No. 108 of 2022, dated 18.10.2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. So far as petitioner nos. 1 & 5 are concerned, it

transpires that there is a specific allegation against them, therefore, anticipatory bail application of these two petitioners are hereby rejected.

8. The Trial Court is directed to consider the prayer for regular bail of petitioner nos. 1 & 5, if they surrenders before the learned Court below within six weeks’ from today. The Trial Court shall also consider the nature of injury, the case and counter case between the parties while considering the prayer for regular bail.

9. Accordingly, the prayer for anticipatory bail of petitioner nos. 1 & 5 stands disposed of.

(Dr. Anshuman, J.)

sadique/-

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