

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58769 of 2023

Arising Out of PS. Case No.-271 Year-2022 Thana- DEEPNAGAR District- Nalanda

1. SANJAY PASWAN son of Late Lakhan Paswan R/o- Dodha Ps- Deepnagar Dist- Nalanda
2. JITAN PASWAN @ JITENDRA KUMAR son of Sanjay Paswan R/o- Dodha P.S.- Deepnagar Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shambhu Narayan Singh, Advocate.
For the Opposite Party/s	:	Mr.Pawan Kumar Chaurasia, APP.
For the informant	:	Mr. Gauri Shankar Thakur, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 06-12-2023 Heard Mr. Shambhu Narayan Singh, learned counsel appearing on behalf of the petitioners; Mr. Pawan Kumar Chaurasia, learned APP for the State and Mr. Gauri Shankar Thakur, learned counsel for the informant.

2. The petitioners seek pre-arrest bail in connection with Deepnagar P.S. Case No. 271 of 2022 registered for the offence punishable under Sections 147, 148, 149, 323, 324, 325, 307, 504 and 506 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., after climbing the house of the informant, the petitioners started abusing and assaulted the wife and children of the informant. The cause of incidence is due to tying of the goat.



4. Learned counsel appearing on behalf of the petitioners submits that the informant is neighbour of the petitioners and the goat belonging to the petitioners was tied in a fallen ground to which the informant objected that led altercation between the parties and the petitioners on false allegation have been made accused in the present F.I.R. Petitioner no.1 has one incident under Section 302 of the Indian Penal Code in which he is not on bail.

5. Mr. Gauri Shankar Thakur, learned counsel appeared on behalf of the informant and submits that the petitioners are dreaded criminal and they have become nuisance to the society. The injury sustained by the victim is grievous in nature. As such, they don't deserve to be released on bail. Learned APP too supported the submission made on behalf of the informant.

6. Having considered the rival submissions made on behalf of the parties as well as the allegation made in the F.I.R. which relates to tying of goat and thereafter both the parties indulged in quarrel which led to filing of the present F.I.R. and the opinion of the doctor that the injury sustained by the victim who are wife of the informant and children is grievous in nature and petitioner no.1 has one antecedent under Section 302 IPC, I



am not inclined to enlarge the petitioners on bail.

7. The petitioners, if so advised, may surrender before the court below and seek regular bail. The court below is directed to hear the bail application of the petitioners on the same day and pass order in accordance with law.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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