

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57644 of 2023

Arising Out of PS. Case No.-917 Year-2022 Thana- NAWADA District- Nawada

1. SANNI PASWAN @ SANNY KUMAR SON OF DAYANAND PASWAN
RESIDENT OF VILLAGE- MAHULI, PS- NAWADA NAGAR, DISTT-
NAWADA
2. DAYANAND PASWAN SON OF LATE RUPLAL PASWAN RESIDENT
OF VILLAGE- MAHULI, PS- NAWADA NAGAR, DISTT- NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shankar Kumar, Adv.
For the Opposite Party/s	:	Mr.Chandra Bhushan Prasad, APP
For the Informant	:	Mr.Umesh Prasad, Adv.
		Mr.Mrityunjay Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-10-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 447, 448, 341, 325, 307, 354B, 506 and 34 of the IPC.

3. As per the prosecution case, informant alleged that petitioner no.1 along with other co-accused tried to outrage her modesty but her husband came there and saved her. When complain was made to the father of petitioner no.1, then petitioner no.2 assaulted her husband by means of iron rod.

4. 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 ulterior motive. 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. Parties are agnates and there is admitted land dispute between them. Petitioners have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the O.P. No.2 opposed the prayer for bail by submitting that there is specific allegation against the petitioner no.2 to assault the husband of the informant and the injury was found grievous in nature.

6. Considering that the injury inflicted by the petitioner no.2 has been found grievous in nature, I am not inclined to enlarge the petitioner no.2 on bail.

7. The prayer for grant of anticipatory bail on behalf of petitioner no.2 is hereby rejected.

8. However, having regard to the facts and circumstances of the case and that there is general and omnibus allegation against the petitioner no.1, let the above named petitioner no.1, 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 Nawada (Nagar) P.S. Case No.917 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. This application is partly allowed.

(Anjani Kumar Sharan, J)

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