

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57669 of 2022

Arising Out of PS. Case No.-56 Year-2022 Thana- BUNIYAD GANJ District- Gaya

1. SANTOSH PASWAN S/o- Kailash Paswan R/o Village- Khanjahapur, Dudhiya, P.S.- Buniyadganj, District- Gaya
2. Gautam Kumar @ Gautam Paswan S/o- Yadunandan Paswan R/o Village- Khanjahapur, Dudhiya, P.S.- Buniyadganj, District- Gaya
3. Sunita Devi W/o- Pramod Paswan R/o Village- Khanjahapur, Dudhiya, P.S.- Buniyadganj, District- Gaya

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 30-01-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

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

The petitioners are apprehending their arrest in a case registered for the offences punishable u/s 147, 149, 323, 341, 325, 307, 379, 354 and 504 of the Indian Penal Code.

As per the prosecution case, the accused Pramod Paswan and his wife started abusing the informant on the issue of straw of paddy. It is alleged that the petitioner Gautam Kumar



has illicit relationship with Sunita Devi and Gautam Kumar entered the house of the informant with bad intention and outraged her modesty and assaulted his wife Sara Devi with iron rod, causing fractured injury on her head and her left finger.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. He has submitted that the injury of the informant's wife Sara Devi is found on non-vital part of the body. He has further submitted that the injury of the informant is simple in nature. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

Considering the aforesaid facts and circumstances as well as the injury is found on non-vital part of the informant's wife Sara Devi, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned Gaya in connection with Buniyadganj P.S. Case No. 56 of 2022, subject to conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

This application stands allowed.

(Chandra Prakash Singh, J)

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