

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59935 of 2023

Arising Out of PS. Case No.-677 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

-
1. Rohit Kumar, S/O Balmiki Paswan, R/O Village- Chilmil, Ward No. 02, P.S- Muffasil, Distt.- Begusarai.
 2. Rahul Kumar @ Rahul Paswan, S/O Balmikipaswan, R/O Village- Chilmil Ward No. 02, P.S- Muffasil, Distt.- Begusarai.
 3. Dilip Paswan, S/O Late Laddu Paswan, R/O Village- Chilmil Ward No. 02, P.S- Muffasil, Distt.- Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mrs. Suruchi Anand, Advocate
For the Opposite Party	:	Mr. Mohammed Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 14-12-2023 Learned counsel for the petitioners is permitted to remove the defect(s) as pointed by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned A.P.P. for the State.

3. The petitioners are apprehending their arrest in connection with Begusarai (Muffasil) P.S. Case No. 677 of 2022 dated 14.12.2022 registered for the offences punishable under Sections 341, 323, 354B, 308, 436 and 504/34 of the I.P.C.

4. As per prosecution case, the petitioners alongwith other accused persons are alleged to have abused and assaulted



the informant with lathi-danda, bricks, stones and fists. When his family members came to rescue him they were also brutally assaulted by the accused persons. The co-accused Balmiki Paswan ordered his sons to kill the informant and set his house on fire, upon which, Rahul Kumar @ Rahul Paswan (petitioner no. 2) and Rohit Kumar (petitioner no. 1) set the informant's house on fire. On being objected, they brutally assaulted the informant's mother and Bhabhi. They also threw the informant's E-rickshaw into dig. Rohit Kumar (petitioner no. 1) assaulted the informant with iron punch.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely been implicated in the present case. It is submitted that no sign of what material was found at the place of occurrence as per paragraph no. 4 of the case diary. It is submitted that the informant's family members came to the house of the petitioners with lathi, danda, iron rod, assaulted and abused them and seminude the female members of their family, broke their house and took away all household articles and many more things. The other co-accused persons have been granted anticipatory bail by another Co-ordinate Bench of this Court vide order dated 04.08.2023, passed in Cr. Misc. No. 38942 of 2023, annexed as



Annexure-3 to the bail application. There is general and omnibus allegation against the petitioners. The injury sustained by the informant was found found to be simple in nature caused but hard and blunt substance. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail application.

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

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender before the learned court below 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 the learned court concerned, Begusarai in connection with Begusarai (Muffasil) P.S. Case No. 677 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

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

