

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63867 of 2023

Arising Out of PS. Case No.-118 Year-2023 Thana- BHAGWANPUR District- Begusarai

Rahul Paswan @ Rahul Kumar, Male, aged about 21 years, S/O Praveen Paswan @ Praveen Kumar Paswan R/O Village- Karu Tola (AKHA), Ps. Bhagwanpur, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Bhagwanpur P.S. Case No. 118 of 2023, instituted under Sections 341, 323, 385, 387, 307, 379, 504, 506 / 34 of the Indian Penal Code.

3. Allegation in the FIR is that petitioner along with other accused person assaulted the informant and his brother. Allegation against the petitioner is that he assaulted the informant with butt of the pistol on his head causing head injury.

4. Learned counsel for the petitioner submits that there is case and counter case between the parties. The petitioner has filed SC/ST P. S. case no. 27 of 2023 against the informant of the instant case and others. The injury report of the informant has been annexed as Annexure-2 to the bail petition, which



shows the injury to be simple in nature, caused by hard and blunt substance. Referring to order dated 10-08-2023 passed by the learned Additional Sessions Judge-II, Begusarai in ABP No. 1636 of 2023, it has been submitted that learned Sessions Judge has mentioned in the order rejecting the prayer of the petitioner that the doctor has opined abrasion on the right side of head of the informant. Allegation with regard to demand of ransom of Rs. 50,000/- against the petitioner is concerned, is false and fabricated. No such demand has ever been made by the petitioner. It is submitted that petitioner has no criminal antecedent.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Begusarai in connection with Bhagwanpur P.S. Case No. 118 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.



7. The application stands allowed.

(Khatim Reza, J)

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