

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60544 of 2023

Arising Out of PS. Case No.-116 Year-2023 Thana- DEEPNAGAR District- Nalanda

1. Ishwar Paswan Son Of Jatan Paswan Resident Of Village- Kalyanpur, Ps-Deepnagar, Distt- Nalanda
2. Shivam Paswan Son Of Ishwar Paswan Resident Of Village- Kalyanpur, Ps-Deepnagar, Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 14-12-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with arising out of Deepnagar P.S Case No. 116 of 2023 dated 09.03.2023 registered for the offence punishable u/s 147, 148, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code and u/s 27 of the Arms Act.

3. The prosecution case, in short, is that the petitioners and the co-accused persons are alleged to have come to the house of the informant and started abusing and the co-accused, Hareram Paswan and Nitish Kumar have assaulted the informant's sons by iron rod on their head due to which they



were severely injured. When the other son of the informant came to rescue his brothers, the other co-accused Mahendra Paswan has assaulted on his head with country-made pistol causing injury on his head. Thereafter, the co-accused Karu Paswan snatched a golden chain from the neck of the informant and threatened to kill her. On hulla, all the family members of the informant came to rescue on which all the accused persons have assaulted them with iron rod causing injuries to them. It is further alleged that the co-accused, Avinash Paswan and Shivam Paswan have fired from a country made pistol and threatened to kill them.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case due to village politics. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. It is further submitted that allegations levelled against the petitioners are general and omnibus. There is no specific allegation against the petitioners of assaulting. The injuries of the injured are simple in nature.

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

6. Considering the aforesaid facts and circumstances of the case, 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Biharsharif, Nalanda in connection with arising out of Deepnagar P.S. Case No. 116 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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