

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62037 of 2023

Arising Out of PS. Case No.-146 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Dilip Paswan @ Dileep Paswan Son Of Late Dwarika Prasad Resident Of
Village - Samartha Kalyanpur, P.S. - Bibhutipur, District - Samastipur, Bihar
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Bibhutipur P.S. Case No. 146 of 2023 instituted under Sections 341, 323, 324, 325, 307, 354 (A), 354(B), 379, 447, 448, 504, 506, 34 of the Indian Penal Code.

3. As per the prosecution case, on the date of occurrence i.e. 16.04.2023 at about 6 P.M. while sister of the informant was studying on the door, Vishal Kumar and Prasant Kumar (both sons of the petitioner) seeing her alone came there and with intention to outrage her modesty they started teasing her. On protest Vishal Kumar assaulted her with the butt of the pistol and Prasant Kumar caused Pagharia injury on her head due to which blood was oozing out.

4. Learned counsel for the petitioner submits that



both parties are neighbours and there is land dispute between the parties. Whole family of the petitioner has falsely been implicated in the present case. The allegation against the petitioner is general and omnibus in nature. Specific allegation of committing the offence is against the other co-accused persons. Petitioner has no criminal antecedent. Petitioner is ready to co-operate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submission 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 Sub Divisional Judicial Magistrate, Rosera in connection with Bibhutipur P.S. Case No. 146 of 2023, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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