

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65258 of 2023

Arising Out of PS. Case No.-246 Year-2023 Thana- KHUSRUPUR District- Patna

1. Sunil Prasad @ Sunil Paswan S/O Late Prasad Paswan Resident Of Village Lodipur Ps Khusrupur District Patna
2. Ajit Kumar Son Of Late Kalindra Paswan Resident Of Village Lodipur Ps Khusrupur District Patna
3. Sishupal Paswan @ Lapru Paswan Son Of Mithilesh Paswan Resident Of Village Lodipur Ps Khusrupur District Patna
4. Dheeraj Paswan @ Vigray Paswan Son Of Fekan Paswan Resident Of Village Lodipur Ps Khusrupur District Patna
5. Shrikant Ravidas @ Sirikant Son Of Bhola Ravidas Resident Of Village Lodipur Ps Khusrupur District Patna
6. Chotu Paswan Son Of Muddi Paswan @ Imran Paswan Resident Of Village Lodipur Ps Khusrupur District Patna
7. Ujjala Ravidas @ Ujjala Son Of Vinod Ravidas Resident Of Village Lodipur Ps Khusrupur District Patna
8. Harinandan Paswan @ Bocha Paswan Son Of Charitra Paswan @ Chalitra Pawas @ Chalitra Ravidas Resident Of Village Lodipur Ps Khusrupur District Patna
9. Guddu Paswan @ Guddu Kumar Son Of Kauleshwar Paswan Resident Of Village Lodipur Ps Khusrupur District Patna
10. Nandu Paswan @ Nandu Kumar Son Of Sikandar Paswan Resident Of Village Lodipur Ps Khusrupur District Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Adv.
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-10-2023 Heard Mr. Arvind Kumar Pradhan, learned counsel

 appearing on behalf of the petitioners and learned Additional

 Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection



with Khusrupur P.S. Case No. 246 of 2023, registered for the offences punishable under Sections 341/323/307/338/427/504/506/34 of the Indian Penal Code.

3. Allegedly all the petitioners forcibly broken the lock of Lodipur Kabristan and when protest was made, all of them, who were armed with *lathi*, *danda* and bricks, assaulted the informant due to which he sustained head injury.

4. Learned counsel appearing on behalf of the petitioners submits that from the narrations made in the FIR, it is evident that a general and omnibus allegation has been levelled against all the petitioners. Moreover, the allegation of assault being made by all the accused persons, have not been corroborated by the injury report, as the informant has sustained only one injury over his head which is simple in nature caused by hard and blunt substance. Furthermore, all the petitioners are having fair antecedent, except petitioner no. 10, who is involved in one another case in which he is on bail. He next submits that there is neither any eye witness to the alleged occurrence nor during the course of investigation any material has come showing the complicity of the petitioners. He lastly submits that the petitioners being the members of the poor and weaker section, only in order to put pressure, the present case has been



instituted.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the simple nature of injury, coupled with the fair antecedent of the petitioners no. 1 to 9, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Patna City, Patna in connection with Khusrupur P.S. Case No. 246 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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