

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61656 of 2022

Arising Out of PS. Case No.-72 Year-2022 Thana- SALIMPUR District- Patna

Tuntun Paswan, aged about 25 years, Male, Son of Sagina Paswan, R/O
Sonbarsa, P.S.- Salimpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Adv.
For the State : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-02-2023 Heard learned counsel for the petitioner and the learned APP
for the State.

The petitioner seeks bail in connection with Salimpur P.S.
Case No. 72/2022 registered for the offence punishable under Section
147, 148, 149, 323, 307, 379, 504, 506 of the Indian Penal Code (for
brevity 'I.P.C.').

Twelve (12) persons have allegedly assaulted 'Mahesh
Paswan', the informant and the other persons.

Learned counsel for the petitioner submits that allegation of
assault is general and omnibus. The only specific allegation of assault
is attributed against 'Arvind Pawan'. In fact, parties are agnates
fighting over some trivial issue, which has led to lodging of cases
one by the informant in the present case and the other against the
informant of the instant case, which was registered as Salimpur P.S.
Case No. 73 of 2022. From the two(2) First Information Report (for
brevity 'F.I.R.'), it is obvious that both sides have sustained injury. In
the instant case, it is apparent from the order of the Additional
District & Sessions Judge-1st Barh, that there is no injury report in
support of the F.I.R. It is submitted that investigation is complete.



Having no criminal antecedents, the petitioner is stated to be in custody since 20.08.2022.

Learned APP has opposed the prayer for the bail.

Considering the rival submissions, clean antecedents, period of custody, the nature of accusations and the fact that investigation is complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Barh, in connection with Salimpur P.S. Case No. 72/2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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