

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65572 of 2023

Arising Out of PS. Case No.-170 Year-2023 Thana- NOKHA District- Rohtas

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Dharamraj Paswan @ Dharmraj Paswan Son Of Sudama Paswan Resident Of
Village-Baraon, Police Station-Nokha, District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Nokha P.S. Case No. 170 of 2023 dated 06.07.2023 instituted
for the offence punishable under Sections 447, 504, 506, 307,
385/34 of the Indian Penal Code and Section 27 of the Arms
Act.

3. The prosecution case, in short, is that on
05.07.2023 at about 9 pm, the petitioner along with one other
co-accused person armed with pistol came to house of informant
(Mukhiya) and started abusing her. On protest made by the
informant, the petitioner fired on the informant with intention to
kill, but she escaped narrowly. On heard sound of firing, one
Hansmapi and Sarpanch Shima Devi reached there. On being



asked, they told if the informant will not give them Rs. 20,000/- per month as ransom and Rs. 50,000/- now, she will face dire consequences. Thereafter, the accused persons fled away threatening to kill her with family.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner is an elected Sarpanch of Gram Panchayat North Baraon. Learned counsel for the petitioner submits that the present case is the counter case of SC/ST Case No. 43 of 2023 lodged by petitioner against the husband of the informant and others under Sections 341, 323, 379, 504/34 of the Indian Penal Code and 3(2) (Va) SC/ST Act. Learned counsel for the petitioner submits that during the course of investigation, the I.O. of the case could not collect any cogent and legal evidence against the petitioner which can connect him with the alleged crime. Learned counsel for the petitioner submits that as per the F.I.R., no injury was caused to anyone. Nothing has been recovered from the place of occurrence. Learned counsel for the petitioner submits that CCTV footage reflects no view regarding the occurrence. Lastly, it has been submitted that petitioner has eleven criminal cases against him.



5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Nokha P.S. Case No. 170 of 2023, he will be released on anticipatory bail 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. Ist, Sasaram, District Rohtas subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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