

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65748 of 2023

Arising Out of PS. Case No.-284 Year-2022 Thana- GOH District- Aurangabad

1. RAJ KUMAR PASWAN @ RAJKUMAR S/O BADHU PASWAN R/O VILLAGE- CHAPUK, P.S- GOH, DISTT.- AURANGABAD.
2. SHIV KUMAR PASWAN S/O BADHU PASWAN R/O VILLAGE- CHAPUK, P.S- GOH, DISTT.- AURANGABAD.
3. DAMODAR PASWAN @ DAMODAR S/O LATE KRISHNA PASWAN R/O VILLAGE- CHAPUK, P.S- GOH, DISTT.- AURANGABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey
For the Opposite Party/s : Mr. Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-11-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 504, 324, 448, 435, 379, 354B, 34 of the Indian Penal Code.

3. Allegedly, the petitioners and other co-accused persons entered into the house of the informant and assaulted her. The accused persons broke a box kept in the house of the informant and looted all the goods and also assaulted the informant's son. It is also alleged that the petitioner no.1 tried to outrage the modesty of the informant and petitioner no.3 set her house on fire.



4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. There is a case and counter-case between the parties and both sides have sustained injuries. It is further submitted that there is an admitted land dispute between the parties. He further submits that during the course of investigation neither injury has been found nor any proof regarding set on fire of his house has been found. Petitioner nos.1 and 2 have one criminal antecedent whereas petitioner no.3 has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is a case and counter-case between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two



sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Goh P.S. Case No.284 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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