

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64510 of 2022

Arising Out of PS. Case No.-124 Year-2021 Thana- TELHARA District- Nalanda

1. LALDHARI PASWAN Son of Ganauri Paswan R/V- Lodipur, P.S- Telhara Dist- Nalanda
2. Ramanand Paswan Son of Ganauri Paswan R/V- Lodipur, P.s- Telhara, Dist- Nalanda
3. Nandlal Paswan Son of Ganauri Paswan R/V- Lodipur, P.s- Telhara, Dist- Nalanda
4. Subodh Paswan Son of Ganauri Paswan R/V- Lodipur, P.s- Telhara, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vibhuti Ranjan Sonvadra, Adv.
For the State	:	Mr.Choubey Jawahar, APP
For the Informant	:	Mr.Arvind Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 13-03-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

At the outset, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner no.2, who has been apprehended by the Police, during pendency of this application.

Permission is granted.

Accordingly, this application with regard to petitioner no.2 is dismissed as withdrawn.

Now, it is being heard for consideration of anticipatory



bail of petitioner nos.1, 3 and 4.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 308, 379, 504/34 IPC.

Allegation against the petitioners, as per the F.I.R. is to assault the informant by means of lathi and rod.

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 due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The injuries are simple in nature. It is further submitted that there is case and counter-case between the parties and both sides have sustained injury in the alleged occurrence. Petitioners have no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that the petitioners have assaulted the informant by means of lathi and iron rod on his head, which is on the vital part of the body.

Having regard to the facts and circumstances of the case, since the injuries are simple in nature, let the above named petitioner nos.1, 3 and 4, 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 Telhara P.S. Case No.124 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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