

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68039 of 2022

Arising Out of PS. Case No.-63 Year-2022 Thana- ANGARGHAT District- Samastipur

1. Mintu Paswan S/o Late Munni Paswan R/o- Angarghat, P.S.- Angarghat, District- Samastipur
2. Arbind Paswan S/o Mintu Paswan R/o- Angarghat, P.S.- Angarghat, District- Samastipur
3. Lalu Paswan S/o Mintu Paswan R/o- Angarghat, P.S.- Angarghat, District- Samastipur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sachchidanand Choudhary, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioners and Mr. Ram Sumiran Rai, learned APP for the State.

Petitioners in the present case are seeking pre-arrest bail in connection with Angarghat P.S. Case No. 63 of 2022 under Sections 147, 341, 323, 324, 325, 380, 447, 448, 307, 504, 354B, 506 and 379 of the Indian Penal Code. The petitioners have no criminal antecedent.

As per the prosecution story, on 08.07.2022 at about 02:00 P.M. when the informant was grazing cow near her house, her cow entered into the field of the petitioner Mintu Paswan due to which all the seven accused persons named in the F.I.R. reached at the informant's house and entered into scuffle. It is



alleged that Arvind Paswan assaulted the informant by iron rod which caused bleeding injury on head, Lalu Paswan dragged the informant by catching her hair and Mintu Paswan tore her blouse. It is further alleged that Mintu Paswan assaulted Ram Bahadur Mahto on his head and Lalu Paswan assaulted Sumit Kumar on his hand.

Learned counsel for the petitioners submits that the petitioners are quite innocent and have been falsely and maliciously implicated in the present case. Learned counsel submits that there is a case and counter case and both the parties have sustained simple injuries. There was no intention to kill nor any such attempt was made by the petitioners with pre-determination and preparation.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioners. However, it is not disputed that the petitioners have no criminal antecedents.

Having regard to the facts and circumstances of the case, wherein it appears that the alleged occurrence took place on the question of grazing crops of the petitioners, there is a case and counter case between the parties and both sides are said to have suffered injuries which are simple in nature, the petitioners have otherwise no criminal antecedents, therefore,



this Court grants bail to the petitioners above-named in the event of their arrest or surrender within a period of four weeks from today in connection with Angarghat P.S. Case No. 63 of 2022 on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of Sri Skand Raj, learned J.M.I, Dalsingh Sarai (Samastipur) subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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