

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72343 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- HALSI District- Lakhisarai

1. Ranjan Kumar, (Male), aged about 22 years, Son Of Bhagirath Paswan, R/O Village- Kathautiya, P.S.- Halsi, District- Lakhisarai.
2. Pankaj Kumar @ Pankaj Paswan, (Male), aged about 35 years, Son Of Mahendra Paswan, R/O Village- Kathautiya, P.S.- Halsi, District- Lakhisarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Manoj Kumar, Advocate
For the Opposite Party	:	Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 09-11-2023 Learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail application filed on behalf of the petitioner no. 2, namely, Pankaj Kumar @ Pankaj Paswan in connection with Halsi P.S. Case No. 14 of 2023, pending in the court of learned J.M. Ist Class, Lakhisarai.

2. Permission is accorded.

3. Accordingly, the prayer for anticipatory bail application filed on behalf of the petitioner no. 2, namely, Pankaj Kumar @ Pankaj Paswan, is dismissed as withdrawn.

4. Learned counsel for the petitioner no. 1 is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.



5. Heard learned counsel for the petitioner no. 1 and learned Additional Public Prosecutor for the State.

6. The petitioner no. 1 is apprehending his arrest in connection with Halsi P.S. Case No. 14/2023 registered for the offences punishable under Sections 147, 148, 149, 341, 302 and 504 of the I.P.C.

7. As per the prosecution case, on 16.01.2023 at about 8.00 P.M., in the night, while the son of the informant was going to Kaindi Bazar, co-accused persons, namely, Satyendra Paswan, Bhagirath Paswan and Hareram Paswan stopped him and threatened to kill him. It has further been stated that the co-accused Stayendra Paswan assaulted the son of the informant on his head with Khanti, thereafter, Vicky Kumar @ Ranjeet, Ranjan Kumar (petitioner no. 1), Upendra Paswan, Sachin Kumar, Arvind Paswan, Chintu Kumar, Pankaj Paswan and Dablu Paswan also came there and assaulted the son of the informant with lathi, danda, bricks and stones due to which he got badly injured and consequently died.

8. Learned counsel for the petitioner no. 1 has submitted that he is innocent and has been falsely implicated in this case. There is general and omnibus allegation against him. The main allegation of assault is against the co-accused



Satendra Paswan. Other co-accused has already been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 35752 of 2023 under order dated 28.08.2023 annexed as Annexure-3 to the bail petition. The petitioner no. 1 has clean antecedent as stated in paragraph no. 3 of the bail application.

9. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner no. 1.

10. Considering the aforesaid facts and circumstances of the case, let the above named petitioner no. 1 (except petitioner no. 2, namely, Pankaj Kumar @ Pankaj Paswan), in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Lakhisarai in connection with Halsi P.S. Case No. 14/2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

11. The application stands allowed.

(Chandra Prakash Singh, J)

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