

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74542 of 2022

Arising Out of PS. Case No.-853 Year-2021 Thana- KAHALGAON District- Bhagalpur

1. SUNIL PASWAN Son of Late Hira Paswan Resident of Village- Kalgiganj, P.S.- Kahalgaon, District- Bhagalpur
2. KAUSHAL PASWAN Son of Late Banarsi Paswan Resident of Village- Kalgiganj, P.S.- Kahalgaon, District- Bhagalpur
3. JICHHU RAVIDAS @ JICHU RABIDAS Son of Baldeo Ravidas Resident of Village- Kalgiganj, P.S.- Kahalgaon, District- Bhagalpur
4. RAJA PASWAN @ RAJA KUMAR Son of Bogi Paswan Resident of Village- Kalgiganj, P.S.- Kahalgaon, District- Bhagalpur
5. DILIP PASWAN Son of Abbu Paswan @ Ubbu Paswan Resident of Village- Kalgiganj, P.S.- Kahalgaon, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar
		Mr. Indeshwari Pd. Mandal
For the Opposite Party/s	:	Mr. Binod Kumar No.3

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioners as well as learned APP for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 325, 307, 504, 506 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners viciously assaulted the informant's side by means of several weapons due to which they sustained injuries.

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 a case and counter-case between the parties. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioner no.1 namely, Sunil Paswan to assault the informant due to which he sustained grievous injuries.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner no.1 on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

However, there is general and omnibus allegation against the petitioner nos.2, 3, 4 and 5, let the above named petitioner nos.2, 3, 4 and 5, 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
Kahalgaon P.S. Case No.853 of 2021, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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