

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72399 of 2023

Arising Out of PS. Case No.-102 Year-2023 Thana- PIPRA District- Supaul

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Gulbadan Paswan, aged about 88 years, Gender-Male, Son Of Late Kusumlal
Paswan, R/O Village- Tharhi Bhawanipur, P.S.- Pipra, District- Supaul.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjay Kumar Singh, Advocate
For the Opposite Party : Mr. Chandra Bhushan Prasad, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 10-11-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Pipra P.S. Case No. 102 of 2023 dated
04.04.2023 registered for the offences punishable under
Sections 341, 342, 323, 307, 354B, 379 and 324/34 of the I.P.C.

4. As per the prosecution case, all the accused persons
including the petitioner are alleged to have armed with various
weapons and surrounded the house of the informant. The co-
accused Rajen Paswan assaulted on the head of the informant



with Dabia with an intent to kill him. The co-accused Gajen Paswan also assaulted on his right hand with arrow and the co-accused Akash Paswan also assaulted him with an iron rod. When his son, namely, Ratan Paswan, came to rescue him, he was also assaulted by the co-accused Rajen Paswan on his head with Dabia and the co-accused Akash Paswan also assaulted on his left hand with an iron rod. The co-accused also molested and assaulted the wife and daughter-in-law of the informant. It is further alleged that the co-accused persons committed theft of Rs. 8,000/- from the informant's house.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. General and omnibus allegation has been alleged against the petitioner. The specific allegation of assaulted on the informant and his son has been made against the co-accused persons, namely, Rajen Paswan, Akash Paswan and Gajen Paswan and not against the petitioner. It is further alleged that occurrence has taken place on 02.04.2023 and the F.I.R. has been lodged on 04.04.2023. The delay in lodging the F.I.R. has not been explained by the prosecution. The petitioner has three criminal antecedents and in all the three cases, he is on bail as stated in paragraph no. 3 of the bail application.



6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, 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, Supaul in connection with Pipra P.S. Case No. 102 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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