

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2395 of 2023

Arising Out of PS. Case No.-258 Year-2022 Thana- MASAUDHI District- Patna

1. SABBI PASWAN S/O LATE SITA RAM PASWAN Resident of village- Nisiyama, P.S.- Masaurhi, District- Patna.
2. RAVI PASWAN S/O LATE SITA RAM PASWAN Resident of village- Nisiyama, P.S.- Masaurhi, District- Patna.
3. GAURAV KUMAR @ GAURAV PASWAN S/O SAVI PASWAN Resident of village- Nisiyama, P.S.- Masaurhi, District- Patna.
4. SANNNI KUMAR S/O VIJAY PASWAN Resident of village- Nisiyama, P.S.- Masaurhi, District- Patna.
5. SONU KUMAR S/O PYARE PASWAN Resident of village- Nisiyama, P.S.- Masaurhi, District- Patna.
6. SUBODH PASWAN @ SIBODH PASWAN S/O NAGINA PASWAN Resident of village- Nisiyama, P.S.- Masaurhi, District- Patna.
7. GOLU PASWAN S/O LALDEO PASWAN Resident of village- Nisiyama, P.S.- Masaurhi, District- Patna.
8. AAKASH KUMAR S/O INDAL PASWAN Resident of village- Nisiyama, P.S.- Masaurhi, District- Patna.
9. RAMAN PASWAN S/O INDU PASWAN Resident of village- Nisiyama, P.S.- Masaurhi, District- Patna.
10. BITTU KUMAR @ BITTU KUMAR @ RAVI RANJAN S/O - BAGHA PASWAN Resident of village- Nisiyama, P.S.- Masaurhi, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar

For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2023 Heard the parties.

Learned counsel for the petitioners seek permission to
withdraw this application as against petitioner no.10, as he has
been arrested by the police during the pendency of the bail



application.

Permission is granted.

Accordingly, this application as against petitioner no.10 is dismissed as withdrawn.

Now, this application is being heard with respect to petitioner nos.1 to 9 only.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 149, 324, 307, 379 and 504 of the Indian Penal Code and u/s 27 of Arms Act.

As per the FIR, when the informant returned to her house alongwith her daughter and grand daughter, she saw that the accused persons were killing her son by choking his throat with a rope. On protest made by the informant, co-accused Vijay Paswan threatened the informant for dire consequences and thereafter they kept the rope around the neck of the informant's son tight for few minutes due to which he fell down and died on the spot.

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. He further submits that there is no specific overt act against the petitioners. The specific allegation is against the petitioner no.10 but he has already been apprehended by the police. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner nos.1 to 9, 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 Masaurhi P.S. Case No.258 of 2022, 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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