

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72842 of 2022

Arising Out of PS. Case No.-477 Year-2019 Thana- MADHUBANI TOWN District-
Madhubani

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1. DASRATH PASWAN Son of Batohi Paswan R/V- Sundarpur, P.S- Madhubani Town, Dist- Madhubani
 2. Shivji Paswan Son of Batohi Paswan R/V- Sundarpur, P.S- Madhubani Town, Dist- Madhubani
 3. Opi Paswan @ Gopi Paswan Son of Kailu Paswan R/V- Sundarpur, P.S- Madhubani Town, Dist- Madhubani
 4. Bahadur Paswan Son of Kailu Paswan R/V- Sundarpur, P.S- Madhubani Town, Dist- Madhubani
 5. Jagdish Paswan Son of Muneshwar Paswan R/V- Sundarpur, P.S- Madhubani Town, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gagan Deo Yadav, Adv. Mr.Ravi Prakash, Adv. Mr.Udeshya Kumar Yadav, Adv. Mr.Vinod Kumar, Adv.
For the Opposite Party/s :		Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners apprehend their arrest in a case registered
for the offence punishable u/s 341, 323, 379, 448, 427, 384, 386,
504, 506/34 of the IPC.

As per the prosecution case, petitioners armed with lathi,
spear, garasa came and captured the land of the informant and



ruined the crop and on protest, they assaulted him and on the point of pistol, demanded Rs.10,000/- as extortion and threatened to kill him.

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 due to land dispute. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is an inordinate delay of eight days in lodging of the F.I.R., which itself creates doubt about the prosecution case. Petitioners have two criminal antecedent and similarly situated co-accused has been granted anticipatory bail by this Court vide order dated 17.03.2023 passed in Cr. Misc. No.72112 of 2022.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since similarly situated co-accused has been granted bail, let the above named petitioners, 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 Madhubani Town P.S. Case No.477 of 2019, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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