

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72112 of 2022**

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

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1. SOMAN PASWAN S/o Ravi Paswan R/o Village- Sundarpur, P.S.-
Madhubani Town, Distt- Madhubani.
 2. Bahru Paswan S/o Jaylal Paswan R/o Village- Sundarpur, P.S.- Madhubani
Town, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav
	:	Mr. Ravi Prakash
For the Opposite Party/s	:	Mr. Arun Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 17-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 379, 448, 427, 384, 386, 504 and 506/34 of the Indian Penal Code pending in the learned court below.

Allegations against the petitioners is that they along with accused persons armed with deadly weapons came and captured the land of the informant and ruined the crop. On protest they assaulted him.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is delay of 8 days in filing of the present FIR and there is no any explanation of it which creates serious doubt about the prosecution case. He submits that the



informant fraudulently trying to grab government land and on protest, he assaulted the members of petitioners side out which one Deepak Kumar was succumbed to his injuries for a case vide Madhubani (Town) P.S. was registered against the prosecution party lastly. He further submits that petitioners have got two criminal antecedents as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against the petitioners, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount 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 condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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