

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74737 of 2022

Arising Out of PS. Case No.-43 Year-2021 Thana- SHAMBHUGANJ District- Banka

1. PRINCE PASWAN @ PRINCE KUMAR SON OF GIRISH PASWAN R/O SHAMBHUGANJ, CHHATAHAR, P.S.- SHAMBHUGANJ, DISTRICT- BANKA
2. GIRISH PASWAN SON OF CHHEDI PASWAN R/O SHAMBHUGANJ, CHHATAHAR, P.S.- SHAMBHUGANJ, DISTRICT- BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanchay Srivastava, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 20-06-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 436, 427, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioner are persons with clean antecedent and the informant alleges that on 17.02.2021, the accused persons were going for idol immersion by playing obscene song which was objected by the informant on which it is alleged that petitioner assaulted the informant with *lathi* causing injury on his head. It is further alleged that Prince Paswan set the house of the informant on fire



causing damage to the household articles along with cash.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that even the injury suffered by the injured is simple in nature and the blow was not repeated. It is next submitted that it has been specifically pleaded at Para-12 of the anticipatory bail application that the allegation of setting the house on fire is false and fabricated. It is further submitted that even during the course of investigation, it has come that some clothes were destroyed by fire, it is next submitted that the house was not put on fire, it was a mob and in the mob, it appears that someone put the clothes hanging outside the house on fire and the informant falsely alleged that it was the petitioner no. 1 who set the house on fire. It is next submitted that petitioner no. 1 is a young boy aged about 24 years and if he is sent to judicial custody, his entire career may get jeopardized and chances would be bright that he may come in company of hardened criminals. It is also submitted that the petitioners will not abscond rather will co-operate in the investigation.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Shambhuganj P.S. Case No. 43 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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