

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1729 of 2023

Arising Out of PS. Case No.-108 Year-2020 Thana- CHAKIA District- East Champaran

ARVIND PASWAN Son of Late Jokhan Paswan Resident of Village - Nagar
Gawan Ward No.- 8, P.S.- Chakia, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 341, 323, 452 and 376 of
the Indian Penal Code.

As per prosecution case, the petitioner, who is the co-
villagers of the informant entered in the house of the informant
and taken her prestige. It is further alleged that the informant
raised alarm on which her son came for rescue was assaulted.
Thereafter, the informant's *Gotni* came for rescue on which the
petitioner push them and managed to flee away from there.

It is submitted by learned counsel for the petitioner that
petitioner has been falsely implicated in this case. He has
committed no offence. From the perusal of the FIR, it appears that
the informant is a married and old female having son and daughter.



However, the petitioner is next door neighbor and due to land dispute the petitioner has been implicated in the present case. During course of investigation, the statement of the informant was recorded, who stated that petitioner was attempt to take her prestige but on alarm her son, *Gotni* came on which the petitioner managed to escape. Hence, no case is made out u/s 376 of the IPC against the petitioner and this fact apparent from vide para-127 of the case diary. He is languishing in judicial custody since 08.09.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned J.M.-1st Class, Motihari, East Champaran in connection with Chakia P.S. Case No. 108 of 2020.

(Sunil Kumar Panwar, J)

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