

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.564 of 2023

Arising Out of PS. Case No.-278 Year-2022 Thana- MADHUBAN District- East Champaran

1. VINOD PASWAN SON OF LATE LAKHINDRA PASWAN R/O VILL.- HARINARAYANPUR, P.S.- MADHUBAN, DISTT.- EAST CHAMPARAN
2. VIJENDRA PASWAN SON OF LATE LAKHINDRA PASWAN R/O VILL.- HARINARAYANPUR, P.S.- MADHUBAN, DISTT.- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.
For the Opposite Party/s : Mr.Madhura Nand Jha, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-02-2023 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, 452, 354(B), 504/34 of the Indian Penal Code.

Allegedly, petitioner no.1 is said to have misbehaved with the informant whereas petitioner no.2 abused the informant side and assaulted the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature.



There is admitted land dispute between the parties. Both sides have filed cases against each other. It is further submitted that the occurrence took place on 02.05.2022 and the FIR was lodged on 26.06.2022. There is inordinate and abnormal delay in filing the FIR without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, there is delay in lodging the FIR, 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 lower Court where the case is pending/successor Court in connection with Madhuban P.S. Case No.278 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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