

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4703 of 2023**

Arising Out of PS. Case No.-300 Year-2020 Thana- CHHATAPUR District- Supaul

1. INDRADEV PASWAN Son of Mishri Paswan @ Mishri Lal Paswan R/V and P.S- Chhatapur Dist- Supaul
2. Sunil Paswan @ Sunil Kumar Son of Mishri Paswan @ Mishri Lal Paswan R/V and P.S- Chhatapur Dist- Supaul
3. Mishri Paswan @ Mishri Lal Paswan Son of Late Janak Paswan R/V and P.S- Chhatapur Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arun, Adv

For the Opposite Party/s : Ms. Nirmala Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      16-05-2023                      Heard Mr. Arun, learned counsel for the petitioners and Ms. Nirmala Kumari, Additional Public Prosecutor for the State.

2. Petitioners apprehend their arrest in connection with Chhatapur PS Case No. 300/2020 dated 02.12.2020 registered for the offence punishable under Sections 341, 323, 324, 307, 379, 354(A), 504, 506/34 of the IPC.

3. As per First Information Report, petitioners along with seven accused persons arrived at the door of the informant and abused her family members. It has further been alleged that petitioner no.1 assaulted the husband of the informant by means of rod on his head. Petitioner no.2 assaulted the informant by



means of *Farsa* and petitioner no.3 allegedly, dragged the informant in order to outrage her modesty.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to dispute regarding theft of a goat. Both the parties are neighbours and there is a case and counter case between them for an incident which took place on the same date and time and the side of the petitioner has lodged an FIR bearing Chhatapur PS Case No. 306/2020 against the informant and others. Referring to the impugned order, learned counsel next submits that the nature of injury has not been brought by the prosecution and the learned Sessions Judge has rejected the bail application of the petitioners on the ground that the assault has been made on the vital part of the body.

5. Regards being had to the submissions made by the parties, taking into consideration that material on record and the fact that both the parties are neighbours, there is a case and counter case between them, the nature of injury has not been brought by the prosecution, petitioners have got clean antecedent, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, let the petitioners, named above, in



the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, Supaul/the court concerned in connection with Chhatapur PS Case No. 300/2020, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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