

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5476 of 2024

Arising Out of PS. Case No.-340 Year-2022 Thana- RAHUI District- Nalanda

1. Yogendra Paswan Son Of Late Jagdev Paswan Resident Of Village- Salempur Ps- Rahui (WENA) Distt- Nalanda
2. Raushan Kumar Son Of Yogendra Paswan Resident Of Village- Salempur Ps- Rahui (WENA) Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner submits that in
view of arrest of the petitioner no. 1, during pendency of the
present application, the same has become infructuous.

3. Accordingly, the anticipatory bail application is
dismissed as withdrawn against petitioner no. 1.

4. The petitioner apprehends arrest in connection
with Rahui (Wena) P.S. Case No. 340 of 2022 dated 22.06.2022,
instituted for the offence punishable under Sections 341, 323,
307, 504/34 of the Indian Penal Code.

3. The allegation against the petitioners is that on



19.06.2023, petitioners along with other accused persons came at the door of informant and started abusing him and thereafter, accused Yogendra Paswan (petitioner no. 1) assaulted the informant with lathi due to which informant sustained head injury and when the son and daughter in-law of the informant came to save the informant, they were also assaulted by the accused persons.

4. Learned counsel for the petitioner submits that the petitioner no. 2 is innocent and he has been falsely implicated in this case. It is further submitted that father of the informant and petitioner no. 1 are full brother and petitioner no. 2 is the own nephew of informant. It is further stated that there is a land dispute between the parties due to which the false case has been lodged against the petitioners. It is next submitted that as per the injury report (Annexure-3), the injuries have been found to be simple in nature. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of



six weeks from today, in connection with Rahui (Wena) P.S. Case No. 340 of 2022, petitioner no. 2 shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1, Nalanda at Biharsharif, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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