

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6973 of 2024

Arising Out of PS. Case No.-235 Year-2023 Thana- NAYA RAM NAGAR District- Munger

1. Abhishek Kumar Paswan, S/o Vijay Paswan, R/o Vill - Bhaji Chak, P.S. - Naya Ram Nagar, Dist. - Munger
2. Anish Kumar, S/o Vijay Paswan, R/o Vill - Bhaji Chak, P.S. - Naya Ram Nagar, Dist. - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In this present case, the petitioners are apprehending their arrest in connection with Naya Ram Nagar P.S. Case No. 235 of 2023, registered for the offences under Sections 341, 323, 452, 380, 354, 307, 504, 427, 325 and 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioners and other co-accused persons assaulted the informant, his mother and his other family members and fractured the hand of the brother of the informant. The occurrence took place in the background of the fact that two youths were consuming liquor in the tempo of



the informant and when the informant opposed their act, they assaulted the informant and his family member.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The allegations are general and omnibus against the petitioners and other co-accused persons. Though there is allegation that the assailants were armed with firearm, no firearm or traditional weapons were used in the commission of the crime. Except for mother of the informant who received a fracture, there is no injury to any other person. For the same occurrence, mother of the petitioners lodged Complaint Case No. 1060 C of 2023 before the court of learned C.J.M., Munger against the informant and others. Learned counsel further submits that the petitioners are students and they have got no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-serious nature of injury and also considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate 1st,
Munger/concerned court in connection with Naya Ram Nagar
P.S. Case No. 235 of 2023, subject to the conditions as laid
down under Section 438(2) of the Code of Criminal Procedure
and other following conditions:

- (i) One of the bailors will be a close relative of the
petitioners.
- (ii) The petitioners will remain present on each and
every date fixed by the court below, if so required
by the learned trial court.

(Arun Kumar Jha, J)

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