

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9188 of 2024

Arising Out of PS. Case No.-584 Year-2023 Thana- BODHGAYA District- Gaya

1. Akhilesh Paswan, Son of Kali Paswan,
2. Bimal Kumar @ Vimal Kumar, Son of Akhilesh Paswan,
Both are resident of Village-Durgapur, P.S.-Bodhgaya, Distt.-Gaya

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR and apprehending their arrest in connection with Bodh Gaya P.S. Case No.584 of 2023 registered under Sections 147, 149, 448, 504, 427, 323, 379, 307 of the Indian Penal Code and Sections 3, 4, and 5 of the Prevention of Witch (Daain) Practices Act, 1999.

3. Allegation against the petitioners is to assault the informant and her family members, causing bodily injuries, suspecting informant as a 'daain' where it is further alleged that during the occurrence, petitioners along with other co-accused persons snatched cash of Rs.10,000/- and mobile from the



husband of informant and also damaged her house.

4. It is submitted by learned counsel that occurrence arises out of neighbourhood issue related with common pathway. It is further pointed out that allegation regarding assault is very much general and omnibus against the petitioners as it is alleged through FIR that 15 named persons collectively assaulted the informant and her family members i.e. husband and son.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission, as allegation of physical assault is appearing very much general and omnibus, accordingly, the petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Bodh Gaya P.S. Case No.584 of 2023 subject to the conditions as laid down under Section 438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

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