

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14047 of 2024

Arising Out of PS. Case No.-2 Year-2023 Thana- RAHUI District- Nalanda

1. Ramavtar Paswan Son of late Lalit Paswan Resident of Village - Chandaura, P.S.- Rahui (Wena), District - Nalanda.
2. Bashisth Narayan Son of Ramavtar Paswan Resident of Village - Chandaura, P.S.- Rahui (Wena), District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N.A. Shamsi, Adv.
For the Opposite Party/s : Mr.Rajendra Nath Jha

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in connection with
Rahui (Wena) P.S. Case No. 02 of 2023 instituted for the
offences punishable under Sections 147, 149, 323, 307, 302,
504 and 506/34 of the Indian Penal Code and Section 27 of
the Arms Act.

3. As per the prosecution case, accused Ram Avtar
Paswan assaulted to informant and Santosh Paswan and
Vashist Kumar assaulted to Sony Kumar who was having five
months baby, namely, Divyanshi Kumari, in her lap. Accused



Santosh Kumar given lathi blow on lap child as a result of which she succumbed to injuries.

4. It is submitted by learned counsel for the petitioners that petitioners are innocent and have committed no offence. Petitioners and the informant are gotiya and petitioners have been falsely implicated in this case due to dispute regarding partition of ancestral property is going on between them. Specific allegation of assault to the deceased is against Santosh Kumar and not against the petitioners. The other co-accused person, namely, Raghvendra Kumar @ Jahindra Paswan has already been enlarged on bail by another coordinate Bench of this Court vide order dated 17.10.2023 passed in Cr. Misc. No. 65811 of 2023. Petitioners have got no criminal antecedent and they are languishing in judicial custody since 18.03.2023.

5. The application for bail is opposed by learned APP for the State.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties as well as period of custody of the petitioners, I am inclined to enlarge the petitioners on bail. The above named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/-



(Ten Thousand) each with two sureties of the like amount
each to the satisfaction of the learned 8th Additional Sessions
Judge, Nalanda at Biharsharif in connection with Rahui
(Wena) P.S. Case No. 02 of 2023.

(Ramesh Chand Malviya, J)

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