

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16762 of 2024

Arising Out of PS. Case No.-334 Year-2023 Thana- DALSINGHSARAI District- Samastipur

1. Bhola Paswan Son Of Ramji Paswan Resident Of Village - Harishankarpur, P.S. - Dalsingsarai, District - Samastipur
2. Soni Devi Wife Of Jitendra Paswan, Daughter Of Bhola Paswan Resident Of Village - Dadopur, P.S. - Bachwara, District - Begusarai
3. Runa Devi Wife Of Mithlesh Paswan, Daughter Of Bhola Paswan Resident Of Village - Bhajangama, P.S. - Vidyapati Nagar, District - Samastipur
4. Arti Devi Wife Of Sunil Paswan, Daughter Of Bhola Paswan Resident Of Village - Bibhutipur, P.S. - Bibhutipur, District - Samastipur
5. Sunil Paswan Son Of Amiri Paswan Resident Of Village - Bibhutipur, P.S. - Bibhutipur, District - Samastipur (Mentioned With Fir As Bhola Paswan Ka Damad)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar, Adv.

For the Opposite Party/s : Mr.Nityanand APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 22-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Dalsingsarai P.S. Case No. 334 of 2023 dated 18-08-2023, instituted for the offence punishable under Sections 341,323, 324, 307, 354, 379, 504 and 506/34 of the Indian Penal Code.

3. The case of prosecution, in short, is that while the informant along with her family members was at her house, then



all of a sudden, petitioners along with FIR-named accused persons came to her house and started abusing the informant. On protest, all the accused persons assaulted to her. It is further alleged that co-accused Indal Paswan caught hold her hair and thrashed her on the earth as well as assaulted her with legs, and when her daughter-in-law, Juli Devi, and one Monu Kumar came for her rescue, they too were assaulted by the accused persons. It is further alleged that petitioner Bhola Paswan has snatched golden Jitiya from the neck of her daughter-in-law, and when son of informant, namely Subodh Ray, came for rescue, then co-accused Saurabh Paswan assaulted the informant with iron 'khanti' on her head, causing injury, and in course of it, Subodh Ray also assaulted by the co-accused Saurabh Paswan.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have falsely been implicated in this case. There is specific allegation against co-accused, namely, Indal Paswan and Saurabh Paswan, who have assaulted the informant and her son by means of iron 'khanti', legs and fists on their head causing head injury. There is no allegation of assault against the petitioners. The allegation levelled against the petitioners is not specific, rather general and omnibus in nature. Lastly, it is submitted that the petitioners have no criminal



antecedents.

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

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 petitioners within a period of six weeks from today, in connection with Dalsingsarai P.S. Case No. 334 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM 1st Dalsingsarai at Samastipur or appropriate Court below, subject to condition as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Khatim Reza, J)

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