

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21977 of 2024

Arising Out of PS. Case No.-311 Year-2023 Thana- KHODAWANDPUR District- Begusarai

1. Lalan Paswan @ Lallan Paswan Son Of Ram Chandra Paswan @ Ram Chandar Paswan Resident Of Village- Mohanpur Ward No. 2, (Meghaul), Ps- Khodawandpur, Distt- Begusarai
2. Dilip Paswan Son Of Ram Laddu Paswan Resident Of Village- Mohanpur Ward No. 2, (Meghaul), Ps- Khodawandpur, Distt- Begusarai
3. Narayan Paswan @ Ram Narayan Paswan Son Of Late Lakhan Paswan Resident Of Village- Mohanpur Ward No. 2, (Meghaul), Ps- Khodawandpur, Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.
For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 19-03-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to the petitioner nos. 1 and 2 i.e. Lalan Paswan @ Lallan Paswan and Dilip Paswan, who have already been arrested.

Permission is accorded.

Accordingly, the present anticipatory bail application is dismissed as withdrawn with respect to petitioner nos. 1 and 2.



3. The petitioner is apprehending his arrest in a case in connection with Khodawandpur P.S. Case No. 311 of 2023 dated 14.11.2023 registered for the offences punishable u/ss 341, 323, 504, 506, 337, 307 read with section 34 of the Indian Penal Code.

4. As per the prosecution case, due to previous dispute, the petitioner and the co-accused persons came to the house of the informant and started assaulting with bricks, stones, iron rod and iron katta causing head injury to the informant's father and Chhannu Sah.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a case and counter case between the parties. There is no specific allegation against the petitioner. There is no repetition of blow and the petitioner had no intention of causing death. As per the injury report of the informant's father, the injury is stated to be grievous in nature and the injury of Chhannu Sah is stated to be simple in nature. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.



6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioner, let the above named petitioner no. 3 Narayan Paswan @ Ram Narayan Paswan, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Begusarai in connection with Khodawandpur P.S. Case No. 311 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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