

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20148 of 2024

Arising Out of PS. Case No.-53 Year-2023 Thana- FESHAR District- Aurangabad

1. Kundal Paswan S/O Jagdeo Paswan
2. Roshan Paswan @ Roshan Kumar S/O Kundal Paswan
3. Ram Sewak Paswan @ Sewak Paswan S/O Jagdeo Paswan
4. Ram Lekha Paswan S/O Feku Paswan
All resident of Village- Mameka, P.S- Fesar, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 02-04-2024 Heard learned counsel appearing on behalf of the
petitioners and the learned APP for the State.

2. Petitioners seeks pre-arrest bail in connection with
Fesar P.S.Case No.53/23, registered for the offences punishable
under Sections 147, 148, 149, 323, 325, 307, 504, 379, 506,
506, 420 and 385 of the Indian Penal Code and Section 27 of the
Arms Act.

3. As per the allegation made in the FIR, petitioner
nos. 1 and 3 had made firing in the air, petitioner no.2 had
snatched gold chain belonging to the wife of the informant and
the petitioner no.4 had demanded *ransom* of Rs.2 lac.

4. Learned counsel appearing on behalf of the



petitioners submitted that the allegations are baseless and no such incident has taken place and none of the petitioners had committed any overtact, as alleged in the FIR. Specific allegation of assault is against co-accused Ramshray and Feku Paswan, who had assaulted the informant. Petitioners have clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioners and has submitted that the injury report of one Abhay Paswan shows lacerated wound on the right parietal area, which is the vital part of the body.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that the specific allegation is against co-accused Ramshray and Feku Paswan, who had assaulted the informant and the allegations against the petitioners are general and omnibus in nature, the petitioners are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-IV, Aurangabad /concerned court, in connection with Fesar



P.S.Case No.53 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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