

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20917 of 2024

Arising Out of PS. Case No.-338 Year-2023 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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Tarun Kumar @ Tarun Kumar Paswan @ Mukesh Bharti @ Mukesh Kumar
Bharti S/o Raghunath Paswan @ Raghu Paswan R/o Ruhelaganj, Kadirabad,
P.O. - Lalbagh, P.s. - L.N.M.U. Thana, Distt - Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhanshu Shekhar Singh, Adv.

Mr. Vidyapati Singh, Adv.

For the Opposite Party/s : Mr. Ajay Mishra, APP

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**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. The petitioner is apprehending his arrest in a case in
connection with L.N.M.U P.S. Case No. 338 of 2023 dated
01.11.2023 registered for the offence/s punishable u/ss 147, 148,
149, 341, 323, 307, 452, 354B, 380, 427, 337, 338, 504, 506 and
120B of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the
co-accused persons along with 15-17 unknown miscreants are
alleged to have entered the house of the informant and started
abusing and assaulting him with the butt of pistol, lathi and
danda and they looted household articles and ornaments of the



informant's wife. When the informant's wife and mother came to rescue, all the accused also abused and misbehaved with them. It is further alleged that the accused persons took the informant away from his house and Md. Anwarul Haque @ Nanki and Taurn Paswan fired on him but he fell down on the ground. Thereafter, they indiscriminately assaulted the informant with brick, stone and butt of pistol causing injury to him. It is further alleged that they also pelted stones on the house of the informant and damaged his motorcycle, CCTV camera and tried to set his house on fire with the help of gas cylinder.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a delay of 15 days in lodging the FIR. It is further submitted that no one sustained firearm injury. There is no specific allegation against the petitioner. There is general and omnibus allegation against the petitioner. The petitioner is only a member of mob. There is free fight between the parties. The co-accused Chhotu Yadav and Nawal Thakur sustained grievous and simple injuries respectively. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

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



submitted that the informant sustained multiple injuries including fractured injury of mandible.

6. Considering the aforesaid facts and circumstances of the case as well as the materials available on the recored, let the above named petitioner, 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, Darbhanga in connection with L.N.M.U P.S. Case No. 338 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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