

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22492 of 2024

Arising Out of PS. Case No.-266 Year-2023 Thana- SINDHIYA District- Samastipur

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1. RAM SOGARATH PASWAN @ RAM SWARTH PASWAN SON OF LATE JAGDISH PASWAN RESIDENT OF VILLAGE - DASRATH DIH, P.S. - SINGHIYA, DISTRICT - SAMASTIPUR
 2. SANTOSH PASWAN SON OF RAM CHANDRA PASWAN RESIDENT OF VILLAGE - DASRATH DIH, P.S. - SINGHIYA, DISTRICT - SAMASTIPUR
 3. OM PRAKASH PASWAN SON OF RAM SOGARATH PASWAN @ RAM SWARTH PASWAN RESIDENT OF VILLAGE - DASRATH DIH, P.S. - SINGHIYA, DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhay Shanker Singh
For the Opposite Party/s	:	Mr. Manoj Kumar No. 1
		Mr. Rajnikant Singh
For the State	:	Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners seek bail in connection with Singhiya P.S. Case No. 266 of 2023 registered for the offence under Sections 341, 323, 324, 307/34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. The injury report produced by the learned counsel for the informant has been taken on record.



4. As per the prosecution case, due to land dispute, the occurrence took place and the prosecution has alleged that the accused persons fired at the victim Jaiveer Yadav who sustained multiple gun-shot injuries.

5. Learned counsel for the petitioners has submitted that there is a counter case also and the petitioner no. 3 namely Om Prakash Paswan has also suffered gun-shot injury which is apparent from the discharge slip of the DMCH, Darbhanga which shows that a bullet was extracted from the body of the Om Prakash Paswan. The counter FIR is Singhiya P.S. Case No. 267 of 2023 registered for the offence under Sections 341, 323, 307, 504/34 of the Indian Penal Code read with Section 3(1)(r) (s), 3(2)(r-a) of the SC/ST Act and under Section 27 of the Arms Act.

6. Learned counsel for the petitioners further submits that the petitioner nos. 1 and 2 are in custody since 24.10.2023 and petitioner no. 3 is in custody since 7.11.2023.

7. Learned counsel for the informant has vehemently opposed the prayer of the petitioners for bail and has submitted that Jayveer Yadav was treated by the famous Surgeon Dr. R.N. Singh and surgery was done and he submits that in these circumstances, the petitioners do not deserve



regular bail.

8. I have heard and considered the submissions of the parties, gone through the records of the case and have also seen the injury report produced by the learned counsel for the informant.

9. It is not in dispute that because of land dispute, the occurrence has taken place and there is a case and counter case between the parties and both the parties have sustained injuries.

10. In view of the above discussions, this application is allowed.

11. Let the petitioners, above named, be released on bail after framing of charge if the charge has not already been framed on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Rosera, Samastipur in connection with Singhiya P.S. Case No. 266 of 2023.

(Sandeep Kumar, J)

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