

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28658 of 2024

Arising Out of PS. Case No.-260 Year-2023 Thana- NALANDA District- Nalanda

1. Vijo Paswan @ Vijay Paswan S/o Late Lakhan Paswan R/o vill - Kool, P.s - Nalanda, Distt. - Nalanda (Bihar)
2. Mahiendra Paswan @ Mahendra Paswan S/o Late Lakhan Paswan R/o vill - Kool, P.s - Nalanda, Distt. - Nalanda (Bihar)
3. Shiv Sankar Kumar S/o Mahendra Paswan R/o vill - Kool, P.s - Nalanda, Distt. - Nalanda (Bihar)
4. Mukesh Paswan S/o Rajendra Paswan R/o vill - Kool, P.s - Nalanda, Distt. - Nalanda (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-05-2024 At the outset, learned counsel for the petitioners submits that during pendency of the case petitioner No. 1 (*Vijo Paswan*) has already been arrested, as such, he seeks permission to withdraw his bail petition .

2. Permission is accorded.

3 . The bail petition of petitioner No. 1 (*Vijo Paswan*) is dismissed as withdrawn.

4. Heard learned counsel for the petitioner Nos. 2,3 and 4 and the State.

5. Petitioners apprehend their arrest in a case



registered for the offence punishable under sections 341 , 448, 504, 506, 354, 323, 307, 325 , 147 and 149 of the Indian Penal Code.

6. As per the prosecution case, allegation against these petitioners is that they along with other co-accused persons assaulted the informant and his family members due to which informant and his wife sustained injury.

7. It is submitted on behalf of the petitioners that on suspicion of having illicit relationship with the wife of the *Santosh Paswan*, a scuffle took place between the parties in which both sides sustained injuries. It is further submitted that prior to the present case, petitioner's side also lodged a case in Nalanda P.S. Case No. 259 of 2023 against the informant and others which is earlier in point of time. Allegation is general and omnibus and no specific allegation of assault is alleged against these petitioners. Petitioners claim clean antecedent.

8. Learned counsel for the State oppose the bail petition.

9. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner nos. 2 to 4, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten



thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif. in connection Nalanda P.S. Case No. 260 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Koushik/Ankit-

U		T	
---	--	---	--

