

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31980 of 2024

Arising Out of PS. Case No.-256 Year-2023 Thana- DEEPNAGAR District- Nalanda

1. Akshay Paswan Son of Surendra Paswan Resident of Village- Maghara, Police Station- Deep Nagar, Dist.- Nalanda
2. Kunal Paswan Son of Sohrai Paswan Resident of Village- Maghara, Police Station- Deep Nagar, Dist.- Nalanda
3. Bijendra Paswan @ Nokhu Paswan Son of Mishri Paswan Resident of Village- Maghara, Police Station- Deep Nagar, Dist.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Prasad Singh, Adv.
For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have earlier moved before this Court with a prayer for anticipatory bail which was withdrawn vide order dated 24.01.2024 passed in Cr. Misc. No. 3696 of 2024.

3. The petitioners seek bail in connection with Deep Nagar P.S. Case No. 256 of 2023 instituted for the offences under Sections 147, 148, 149, 323, 307, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per prosecution case, the allegation against the accused persons including the petitioners of assaulting the



Informant by means of rod with an intention to kill him. It is also alleged the co-accused Tinku Kumar opened fire on the Informant which hit on his right thigh. The allegation against the petitioner Kunal Paswan is of snatching the gold chain.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. Both the parties are co-villagers. There is no eye-witness to the alleged occurrence. There is no specific or direct allegation against the petitioners rather the same is general and omnibus. The petitioner nos. 1 & 2 have no criminal antecedent but, petitioner no.3 has one criminal antecedent and are languishing in judicial custody since 08.01.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners and the allegation against the petitioners being general and omnibus in nature, let the petitioners, abovenamed, be released



on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Deep Nagar P.S. Case No. 256 of 2023.

(Rudra Prakash Mishra, J)

rishi/-

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

