

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32538 of 2024

Arising Out of PS. Case No.-173 Year-2019 Thana- SAHPUR District- Patna

1. SHANKAR PASWAN SON OF RAM BABU PASWAN RESIDENT OF VILLAGE - MUBARAKPUR, P.S. - SHAHPUR, DISTRICT - PATNA
2. KEDAR PASWAN SON OF ASHOK PASWAN RESIDENT OF VILLAGE - MUBARAKPUR, P.S. - SHAHPUR, DISTRICT - PATNA
3. SIPU PASWAN @ DHIRAJ PASWAN SON OF SHANKAR PASWAN RESIDENT OF VILLAGE - MUBARAKPUR, P.S. - SHAHPUR, DISTRICT - PATNA
4. GOLU PASWAN @ NEERAJ KUMAR SON OF SHANKAR PASWAN RESIDENT OF VILLAGE - MUBARAKPUR, P.S. - SHAHPUR, DISTRICT - PATNA
5. SUMIT PASWAN @ SUMIT KUMAR SON OF SHANKAR PASWAN RESIDENT OF VILLAGE - MUBARAKPUR, P.S. - SHAHPUR, DISTRICT - PATNA
6. MEGNATH PASWAN @ PRADEEP KUMAR @ MEGNATH @ PRADEEP SAGAR SON OF RAMDEO PASWAN RESIDENT OF VILLAGE - MUBARAKPUR, P.S. - SHAHPUR, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-05-2024 1. Heard learned Counsel for the petitioners and
learned APP for the State.

2. This application, for grant of anticipatory bail,
arises out of Shahpur PS case no. 173 of 2019, disclosing
offences punishable under Sections 147, 341, 323, 379, 504, 307
of the Indian Penal Code.

3. The prosecution story, as per the First Information



Report, is that on 27.04.2019, the informant's son had gone to attend a reception party, where the accused persons including the petitioners brutally assaulted her son causing head injury and he was admitted to the P.M.C.H. hospital. It has further been alleged that accused persons snatched his mobile phone and golden chain and when the informant's family member intervened, all accused persons assaulted them, snatched mangalsutra etc. and also caused injuries to them.

4. Learned Counsel for the petitioners submits that the occurrence has taken place in a marriage ceremony. Both the parties are neighbours and allegations against the petitioners are general and omnibus in nature. Learned counsel further submits that a counter case has also been lodged by the side of the petitioners against the informant's side under SC/ST Act bearing Sahpur PS case no. 172 of 2019, which is prior in time to the F.I.R. lodged against the petitioners. He next submits that injury caused to the informant's son is simple in nature, as would be evident from injury report, annexed as Annexure 3 series. He also submits that the parties have compromised the dispute and filed joint compromise petition before the learned court of Judicial Magistrate-1st class, Danapur on 21.03.2024.

5. Regard being had to the submissions made on



behalf of the parties and taking into consideration the fact that both the parties are neighbours, there are case and counter case and injuries caused to the victims are simple in nature, I am inclined to grant the privilege of anticipatory bail to the petitioners.

7. This application is, accordingly, allowed.

8. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within four weeks, be released 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 learned Judicial Magistrate-1st class, Danapur in connection with Shahpur PS case no. 173 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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