

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32603 of 2024

Arising Out of PS. Case No.-57 Year-2023 Thana- HARPUR District- Munger

Panna Lal Paswan @ Panna Lal, S/O Laxmi Paswan, R/O Village/Muhalla-Durmatta, P.S.- Harpur, Distt.- Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Jyoti Ranjan Jha, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking regular bail in connection with Harpur P.S. Case No. 57 of 2023 registered for the offences punishable under Sections 447, 341, 323, 324, 338, 307, 504, 506/34 of the Indian Penal Code. He has no criminal antecedent. The petitioner is in custody since 08.02.2024.

3. As per the prosecution story, on 10.07.2023 at about 07:30 pm, all the accused, namely, (1) Pannalal Paswan (this petitioner), (2) Amarjeet Paswan, (3) Alok Paswan and (4) Nitish Paswan arrived in the field of the informant and started abusing and assaulted the driver of the tractor who was ploughing the field of the informant. When the informant protested, this petitioner assaulted on his head with a brick

which resulted in grievous head injury. It is alleged that accused Alok Paswan assaulted on left side of the back of the informant with *Kachiya*.

4. Learned counsel for the petitioner submits that from the prosecution case itself it would appear that the alleged occurrence had taken place while ploughing the field of the informant which was being protested by the petitioner. The scuffle was sudden and as per the allegations, this petitioner had assaulted the informant by a brick which caused head injury.

5. Learned counsel submits that there is a case and counter case between the parties and the present case is the counterblast of the case lodged by the petitioners' side.

6. Learned APP for the State has though opposed the prayer for regular bail of the petitioner but considering the nature of the allegations and that the appellant has already spent more than six months in custody, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Munger in connection with Harpur P.S. Case No. 57 of 2023, subject to the condition as laid down under Section 437 (3) Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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