

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33476 of 2024

Arising Out of PS. Case No.-207 Year-2023 Thana- DHORAIYA District- Banka

1. Bali Paswan @ Bilash Pasman @ Bali Pasman, S/o Late Anirudh Paswan
R/o vill - Jotha, P.S. - Dhoraiya, Distt. - Banka
2. Rohit Kumar @ Rohit Kumar Paswan, S/o Bali Paswan @ Bilash Pasman @
Bali Pasman, R/o vill - Jotha, P.S. - Dhoraiya, Distt. - Banka
3. Dharmendra Paswan @ Dharbendra Kumar, S/o Antaram Paswan @
Antaram Pasman, R/o vill - Jotha, P.S. - Dhoraiya, Distt. - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Balram Kapri, Advocate
For the Opposite Party/s :	Mr. Satyendra Narayan Singh, Advocate
	Mr. Madan Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-05-2024 Heard Mr. Balram Kapri, learned counsel appearing
on behalf of the petitioner and Mr. Satyendra Narayan Singh,
learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection
with Dhoraiya P.S. Case No. 207 of 2023, registered for the
offences punishable under Sections 341, 323, 354(B), 354(D)
and 506 read with Section 34 of the Indian Penal Code.

3. The allegation against the petitioners is of eve
teasing and causing assault to the informant and others.

4. Learned counsel appearing on behalf of the
petitioners contended that from the narrations made in the FIR it



would be evident that no specific allegation of any overt act has been leveled against the petitioners rather an omnibus allegation of eve teasing has been leveled against all. So far the alleged injury is concerned, the prosecution has failed to produce any injury report, which *prima facie* suggest that none has sustained any injury. It is further contended that in fact on account of altercation between the two groups of the village, the case and counter case has been instituted. The wife of the co-accused has also instituted SC/ST P.S. Case No. 21 of 2023 against the members of the prosecution party, the copy of which has been marked as Annexure P/2. The petitioners bear fair antecedent and they undertake that they will fully cooperate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation coupled with the fair antecedent of the petitioners as also the fact that there is no injury report on record, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this



order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Dhoraiya P.S. Case No. 207 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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