

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32151 of 2024

Arising Out of PS. Case No.-527 Year-2023 Thana- KONCH District- Gaya

1. Mithilesh Paswan @ Mithalesh Paswan, S/o Late Ram Khelawan Paswan, R/o vill - Konch, Pockhrapar, P.S. - Konch, Distt. - Gaya
2. Kaili Devi, W/o Mithilesh Paswan @ Mithalesh Paswan, R/o vill - Konch, Pockhrapar, P.S. - Konch, Distt. - Gaya
3. Anita Devi @ Anita Kumari, W/o Rakesh Paswan, R/o vill - Konch, Pockhrapar, P.S. - Konch, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 18-09-2024 Heard Mr. Aryan Singh, learned counsel appearing on behalf of the petitioners and Mr. Bhanu Pratap Singh, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Konch P.S. Case No. 527 of 2023 registered under Sections 147, 149, 341, 323, 324, 325, 307, 379 and 506 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioners, alongwith other co-accused, assaulted the family members of the informant, who sustained injuries on different parts of their body, including head and finger.



4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and they have falsely been implicated in the present case. Learned counsel further submitted that there is case and counter case between the parties. The petitioners and the informant are agnates and due to previous enmity, they entered into fierce fight, resulting into assault on members of both the parties. The petitioners have clean antecedent. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that the petitioners and the informant are agnates and due to previous enmity, they entered into fierce fight, resulting into assault on members of both the parties, I am of the opinion that petitioners have, prima facie, made out a case to be released on pre-arrest bail.

7. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, 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-Ist Class, Gaya in connection with Konch P.S. Case No. 527 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

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