

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37030 of 2024

Arising Out of PS. Case No.-207 Year-2022 Thana- BIKRAM District- Patna

1. SHYAM BABU PASWAN @ SHYAM BABU S/O LATE JITAN PASWAN R/O PARIYAWAN (PARARIYAWAN), P.S- BIKRAM, DISTT.- PATNA.
2. SUDHIR PASWAN @ SUBHIR PASWAN S/O LATE JITAN PASWAN R/O PARIYAWAN (PARARIYAWAN), P.S- BIKRAM, DISTT.- PATNA.
3. ABIT KUMAR @ ANKIT KUMAR S/O LATE JITAN PASWAN R/O PARIYAWAN (PARARIYAWAN), P.S- BIKRAM, DISTT.- PATNA.
4. SHIV SHANKAR PASWAN S/O ALPIN PASWAN @ BIPIN PASWAN R/O PARIYAWAN (PARARIYAWAN), P.S- BIKRAM, DISTT.- PATNA.
5. RANJEET KUMAR S/O RAM RANJAN PASWAN @ RANJAN PASWAN @ RAJJAN PASWAN R/O PARIYAWAN (PARARIYAWAN), P.S- BIKRAM, DISTT.- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-07-2024 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 354, 307, 504, 379, 506 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant with an



allegation that informant's father had left two feet land beside the house for ventilation but the next door neighbour namely Shyam Babu Paswan started constructing his house covering the land left out by the informant's father and then the same was protested, it is alleged that an altercation took place and Shyam Babu Paswan assaulted the mother of the informant and thereafter the accused persons came and they also assaulted the family members of the informant.

4. Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR it would manifest that the dispute is with respect to construction of ventilation by the side of the petitioners to which the informant alleges is covering the left out land by his father. It is next submitted that the injury suffered by the injured is simple in nature which amply demonstrates that petitioners never had any intention of committing a serious occurrence.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant oppose the prayer for anticipatory bail of the petitioners, but then are not in a position to rebut the submission of the learned counsel for the petitioners that the injury suffered by the injured is simple in nature.

6. Considering the submissions made by the learned



counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bikram P.S. Case No. 207 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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