

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38393 of 2024

Arising Out of PS. Case No.-95 Year-2023 Thana- TISIAUTA District- Vaishali

1. Sangita Kumari @Sangita Devi D/O Hari Paswan R/O Village-Vishunpur Jaspalha, P.S.- Tisiauta, District- Vaishali.
2. Rajiv Paswan @Rajiv Kumar Son of Hari Paswan R/O Village-Vishunpur Jaspalha, P.S.- Tisiauta, District- Vaishali.
3. Kamlesh Kumar @Kamlesh Paswan Son of Hari Paswan R/O Village-Vishunpur Jaspalha, P.S.- Tisiauta, District- Vaishali.
4. Tariya Devi @Tara Devi Wife of Hari Paswan R/O Village-Vishunpur Jaspalha, P.S.- Tisiauta, District- Vaishali.
5. Ranjeet Paswan @Ranjeet Kumar Paswan Son of Hari Paswan R/O Village-Vishunpur Jaspalha, P.S.- Tisiauta, District- Vaishali.
6. Rekha Devi Wife of Arjun Paswan @Arjun Kumar Paswan R/O Village-Vishunpur Jaspalha, P.S.- Tisiauta, District- Vaishali.
7. Arjun Paswan @Arjun Kumar Paswan Son of Hari Paswan R/O Village-Vishunpur Jaspalha, P.S.- Tisiauta, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Tisiauta Police Station Case No. 95 of 2023 dated 17.10.2023 disclosing the offences under sections 341, 323, 420, 307, 379, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, co-accused, Hari



Paswan had taken loan of Rs. 45,000/- from the informant for the daughter's marriage and Rs. 20,000/- for the treatment of his son. When the informant demanded his money back, the petitioners along with other accused persons armed with iron rod came and threatened the informant and his family members, assaulted them with butt of the pistol and iron rod due to which one Satish Jha sustained injury on his head. Subsequently, on the same day in the midnight, the petitioners along with other accused persons entered into the house of the informant with pistol, rod and bottle of acids, took away Rs. 20,000/- from the briefcase and also threw acid while fleeing away.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to money dispute between the informant and the petitioners. Petitioners no. 1, 4 and 7 are said to be order givers. The allegation of assault is upon petitioner no. 5. Nobody has sustained acid injury. The injury caused to the said Satish Jha is simple in nature as would be evident from the order impugned.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that the injury caused to Satish Jha is simple in nature, I am inclined to grant the petitioners privilege



of anticipatory bail.

6. Let the petitioners, named above, in the event of 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 Smt. Ankita Jaiswal, learned Sub-Judge-VI-cum-ACJM-Vth, Vaishali at Hajipur in connection with Tisiauta Police Station Case No. 95 of 2023, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

