

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43427 of 2024

Arising Out of PS. Case No.-387 Year-2023 Thana- DARBHANGA SADAR District-
Darbhanga

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Santosh Paswan @ Santosh Kumar Son of Geyanchan Paswan @ Gyan
Chandra Paswan Residence of Vill.- Dhoighat Navtoli, P.S.- Sadar, Dist.-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kedar Jha, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 448, 504, 323, 324, 307, 506
and 34 of the IPC in connection with Sadar P.S. Case No.387 of
2023.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that accused persons along with the petitioner assaulted
the informant with farsa, causing injury on head, further when
brother of the informant came to save her, the accused persons
also assaulted him and other family members including the son
of the informant who was also injured. It is next submitted that
petitioner and the informant are related and are having dispute



relating to land, as such, the informant falsely implicated him.

4. The learned counsel next submits that Lalu and this petitioner are alleged to have assaulted the informant by farsa, causing injury on head. It is also submitted now doubt injury is said to be grievous, but then only one injury was found when then it is alleged that Lalu and petitioner both assaulted.

5. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case on account of dispute relating to land and being agnate. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that this petitioner along with Lalu are alleged to have assaulted the informant by farsa on head and other part of the body, but then it is submitted that only one injury is found on the head and anticipatory bail application of Lalu stands rejected. It is further submitted that petitioner is in custody since 18.02.2024. It is also submitted that, in the event, if petitioner is granted the privilege of regular bail the petitioner will not abscond rather will cooperate in the trial.

6. The learned APP opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named is directed



to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Sadar P.S. Case No.387 of 2023.

8. However, in the event if the learned trial court comes to a conclusion that petitioner after being released on bail is trying to delay the trial in any manner, the trial court would be at liberty to cancel the bail bonds of the petitioner.

9. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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