

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41631 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- SIGAUDI District- Patna

Chandan Paswan @ Chandar Kumar @ Chandan Kumar Son of Late Kapil
Paswan Resident of Village - Chandhosh, P.S. - Sigori, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vatsal Verma

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-09-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
147, 148, 149, 323, 341, 325, 307, 379 and 506 of the Indian
Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that on 23.01.2024, when he was at his home,
he heard someone calling his name upon which he came
outside, thereafter son of one Manoj Paswan assaulted him by
lathi and rod causing injury on his head, but petitioner assaulted
her on head by an iron rod, thereafter all the named accused
starting assaulting by lathi and danda. The accused persons also



snatched gold jewellery worth Rs. 1,05,000/- from the mother of the informant.

4. From perusal of the allegation as alleged in the F.I.R., it would manifest that as far as this petitioner is concerned, he is alleged to have assaulted Rita Devi by an iron rod causing injury on head but it is submitted from perusal of the injury report of Rita Devi, it would manifest that she has suffered sharp cut wound of size 1" x ½ inch bone deep with swelling at left parietal region over midline forehead ¾ inch above nasal bridge. Further the other two injuries is said to be swelling on the left forearm. It is next submitted that there is specific allegation against this petitioner of assaulting Rita Devi by an iron rod but then the injury does not corroborate the allegation as alleged in the F.I.R. and the petitioner is a person with clean antecedent and is not a criminal and on account of dispute relating to cultivation of land, the occurrence is said to have taken place in which both sides assaulted injuries. It is further submitted that the petitioner will not abscond rather would cooperate in the investigation to prove his innocence.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the



event of his arrest or surrender before the learned Court below withing a period of six weeks, 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 Judicial Magistrate, First Class, Danapur, Patna, in connection with Sigori P.S. Case No. 10 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. However, it is made clear that in the event the Investigating Officer of the case files an application before the learned trial Court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial Court shall be at liberty to cancel the bail-bonds of the petitioner.

8. Let a copy of this order be sent to the concerned P.S. through the learned trial Court.

9. The applications stands allowed.

(Satyavrat Verma, J)

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