

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 42117 of 2024

Arising Out of PS. Case No.-161 Year-2022 Thana- TEKARI District- Gaya

1. Mukesh Paswan Son of Suresh Paswan Resident of Village - Tapa, P.S. - Tekari, District - Gaya
2. Suresh Paswan Son of Late Sudan @ Masudan Paswan @ Sudan Paswan Resident of Village - Tapa, P.S. - Tekari, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brijmohan Das, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 21-09-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Tekari P.S. Case No.161 of 2022 instituted under Sections 147, 148, 149, 341, 323 and 307 of the Indian Penal Code.

3. As per the prosecution case, 50 to 60 accused persons including the petitioners armed with iron rod, sword, hockey sticks and *danda* etc. surrounded them and started brick pelting. The allegation against the petitioner no. 1 is that he assaulted upon the head of the informant and petitioner no. 2 caught hold Shanti Devi to whom the co-accused Narshing Paswan assaulted on her head with iron rod.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this



case. He further submits that the allegation is not corroborated with the medical report. The injury on informant Vinay Das and Shanti Devi are simple in nature and both the parties are co-villager and they have compromised the dispute. Learned counsel for the petitioners submits that petitioners have no criminal antecedent and they undertake to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned A.C.J.M. VIth, Gaya in connection with Tekari P.S. Case No.161 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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