

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40015 of 2023

Arising Out of PS. Case No.-653 Year-2021 Thana- BARACHATTI District- Gaya

1. AJAY PASWAN Son of Bhuneshwar Paswan Resident of village - Gajragadh, P.S. - Barachatti, Distt. - Gaya
2. Sanjay Paswan Son of Bhuneshwar Paswan Resident of village - Gajragadh, P.S. - Barachatti, Distt. - Gaya
3. Uday Paswan Son of Bhuneshwar Paswan Resident of village - Gajragadh, P.S. - Barachatti, Distt. - Gaya
4. Lalan Paswan Son of Bhuneshwar Paswan Resident of village - Gajragadh, P.S. - Barachatti, Distt. - Gaya
5. Bhuneshwar Paswan Son of Kishun Paswan Resident of village - Gajragadh, P.S. - Barachatti, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 31-01-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Barachatti P.S Case No. 653 of 2021 dated 18.10.2021 registered for the offence punishable u/s 323, 341, 342, 307, 379, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, petitioner no. 1 is alleged to have assaulted the informant's mother and younger brother from an iron rod. Accused persons have also snatched a



golden chain from the neck of the informant's younger brother and an earrings from the informant's mother.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioner no.1 has one criminal antecedent in which he is on bail rest of the petitioners have clean antecedent as stated in para 3 of the bail petition. It is submitted by learned counsel for the petitioner that the alleged occurrence has taken place on 16.01.2021 as to when F.I.R. has been lodged on 18.10.2021 for which delay has not been explained by the prosecution. It is further submitted that there is no allegation of assault against the petitioner nos. 2 to 5. However, the allegation of assault is against the petitioner no. 1. The injury is simple in nature. Both the parties are next door neighbours and there is land dispute is going on between them.

5. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of



the like amount each to the satisfaction of learned Court concerned, Sherghati at Gaya in connection with Barachatti P.S Case No. 653 of 2021, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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