

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41922 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- BIHIA District- Bhojpur

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1. RADHA PASWAN SON OF LATE SHIVGOVIND PASWAN VILLAGE- BELWANIA, P.S.- BIHIYA, DISTT.- BHOJPUR AT ARA
 2. KISHAN PASWAN @ KISHAAN PASWAN SON OF LATE SHIVGOVIND PASWAN VILLAGE- BELWANIA, P.S.- BIHIYA, DISTT.- BHOJPUR AT ARA
 3. SURENDRA PASWAN SON OF KISHAAN PASWAN @ KISHAN PASWAN VILLAGE- BELWANIA, P.S.- BIHIYA, DISTT.- BHOJPUR AT ARA
 4. UPENDRA PASWAN SON OF KISHAAN PASWAN @ KISHAN PASWAN araVILLAGE- BELWANIA, P.S.- BIHIYA, DISTT.- BHOJPUR AT ARA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubham Sourav
For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-07-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The learned counsel for the petitioners at the outset seeks permission to withdraw the anticipatory bail application with respect to petitioner no.2, namely, Kishan Paswan @ Kishaan Paswan and petitioner no.3, namely, Surendra Paswan.
3. Permission is accorded.
4. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323,



307, 504, 506 and 34 of the Indian Penal Code.

5. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that the accused persons including the petitioners came to his house and started assaulting her son and when her husband, daughter and grand daughter rushed to save the injured, when Radha Paswan assaulted the daughter of the informant by lathi, causing injury on head, and thereafter, Upendra Paswan dashed the husband of the informant on the ground and pressed his neck. The learned counsel submits that petitioners have been falsely implicated in the instant case and the injury suffered by the husband of the informant is simple in nature. It is next submitted based on instruction that even the daughter of the informant, who is alleged to have been assaulted by Radha Paswan has also suffered simple injury.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioner no.1 & 4, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Bihiya P.S. Case No.30/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, the learned trial court before accepting the bail bond of petitioner Radha Paswan shall verify the injury report of the daughter of the informant and in the event if it is found that she has received grievous injury, in that event, the present anticipatory bail shall not be given effect to in favour of Radha Paswan.

(Satyavrat Verma, J)

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