

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45517 of 2024

Arising Out of PS. Case No.-267 Year-2024 Thana- SITAMARHI District- Sitamarhi

1. Tuntun Paswan @ Udai Shankar Paswan @ Udai Shankar Das S/o Sitaram Das Resident of Village - Amghatta, ward no. 35, P S Sitamarhi District Sitamarhi
2. Sonu Kumar S/o Tuntun Paswan @ Udai Shankar Paswan @ Udai Shankar Das Resident of Village - Amghatta, ward no. 35, P S Sitamarhi District Sitamarhi
3. Sujit Paswan @ Sujit Kumar S/o Tuntun Paswan @ Udai Shankar Paswan @ Udai Shankar Das Resident of Village - Amghatta, ward no. 35, P S Sitamarhi District Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhubala Verma, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Sitamarhi P.S. case No. 267 of 2024 instituted for the offences under Sections 341, 323, 324, 447, 379, 504, 506, 509, 307/34 of the Indian Penal Code.

3. Prosecution story, in short, is that on the alleged date and time of occurrence, all the accused persons assaulted the informant and her family members. It is further alleged that petitioner no.1 gave spade blow on the head of the informant,



petitioner no.2 assaulted Ajeet Paswan on her hand whereas petitioner no.3 assaulted Suman Kumari on her head.

4. Learned counsel for the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. Learned counsel further submitted that both the parties are neighbours and, in fact, the informant wants to marry her daughter to the son of petitioner no.1 but the petitioner no.1 is not ready for the marriage and on this very ground, the altercation took place between the parties. Learned counsel further submitted that there is case and counter-case between the parties. Learned counsel further referring to injury reports submitted that all the injuries sustained by the injured persons are simple in nature caused by hard and blunt object. It has been submitted on behalf of the petitioners that the petitioners are in custody since 19.04.2024 having no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case, nature of injury and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sitamarhi P.S. case No. 267 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Alok Verma/-

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