

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45484 of 2024

Arising Out of PS. Case No.-118 Year-2023 Thana- SASARAM MUFFSIL District- Rohtas

1. Verma Paswan Son Of Late Manu Paswan Resident Of Village - Shahpur,
P.S. - Sasaram (M), District - Rohtas
2. Kalika Paswan Son Of Late Manu Paswan Resident Of Village - Shahpur,
P.S. - Sasaram (M), District - Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subash Kumar, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Sasaram (M) P.S. Case No. 118 of 2023 dated 08.03.2023
instituted for the offence punishable under Sections 323, 341, 307,
504/34 the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged
date of occurrence, when the informant prohibited the accused
persons not to make a noise by big sound box at his house, they
started abusing and assaulted him. It is alleged that the petitioners,
armed with *lathi-danda*, *Farsa* and pistol, came there and
assaulted the informant and his family members. Allegation
against the petitioner no. 1 is that he assaulted on the head of the



son of the informant by pistol, due to which he sustained injury on his head and fell down on the ground.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is no specific allegation against the petitioner no. 2, namely, Kalika Paswan. Specific allegation against the petitioner no. 1, as per the F.I.R., is that he assaulted the son of the informant by means of pistol, which caused injury in his head. There is no firearm injury on the person who sustained injury. Also, no case under the Arms Act has been made against the petitioners, which falsifies the present case. Learned counsel for the petitioners submits that the date of occurrence, i.e. 08.03.2023 was Holi festival day. On that day, the informant, who is involved in several criminal cases and he is also an accused of Section 302 IPC, entered in the house of the petitioners in drunken state with Pradeep Paswan, Umesh Paswan and Parvind Paswan for the purpose of committing wrong and misbehaved with wife of petitioner nos. 1 & 2 and other ladies of their house, upon which, the ladies of the house strongly opposed by means of lathi and danda and in course of *marpit*, the informant and others sustained injuries. In this regard, wife of petitioners nos. 1 & 2 and others two ladies also submitted an application before Superintendent of Police, Rohtas. Lastly, it has been



submitted that petitioners have no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Sasaram (M) P.S. Case No. 118 of 2023, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Rohtas at Sasaram, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

premchand/-

U		T	
---	--	---	--

