

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49069 of 2024

Arising Out of PS. Case No.-69 Year-2024 Thana- NAYA RAM NAGAR District- Munger

1. BIRENDRA PASWAN @ BIRENDRA KUMAR PASWAN S/O RAJGIR PASWAN R/O VILLAGE- JANKI NAGAR, P.S- NAYA RAMNAGAR, DISTT.- MUNGER.
2. JITENDRA PASWAN @ JETENDRA PASWAN S/O RAJGIR PASWAN R/O VILLAGE- JANKI NAGAR, P.S- NAYA RAMNAGAR, DISTT.- MUNGER.
3. RAJJGIR PASWAN S/O MEDNI PASWAN R/O VILLAGE- JANKI NAGAR, P.S- NAYA RAMNAGAR, DISTT.- MUNGER.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar
For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

- 2 07-08-2024 1. Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.
2. The petitioners are apprehending their arrest in connection with Naya Ram Nagar P.S. Case No. 69 of 2024 registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.
3. As per prosecution case, petitioners and others are said to have assaulted informant by means of rod and *lathi* as a result of which informant sustained injury on head.
4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in



the FIR and they have falsely been implicated in this case. Petitioners bear criminal antecedent of one case and the said case has been finalized by the police and on protest petition Complaint Case No. 777C/2002 was proceeded and dismissed. Learned counsel further submits that there is allegation against petitioners and other three persons who are said to have assaulted the informant but informant sustained only three injuries which is annexed as annexure- P/5 of the bail petition and all the injuries are simple in nature. It is further submitted that there is no specific allegation against the petitioners rather the same is general and omnibus in nature. Learned counsel further submits that there is a case and counter case between both the parties on the same date of occurrence and free fighting cannot be ignored. He further submits that petitioner's side also sustained injury.

5. The learned A.P.P. for the State as well learned counsel for the informant vehemently opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, there is no specific overt-act attributed against the petitioners, argument advanced on behalf of both sides, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the



satisfaction of learned C.J.M., Munger in connection with Naya Ram
Nagar P.S. Case No. 69 of 2024, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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