

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50916 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- PAHARPUR District- East Champaran

1. Bachchan Paswan S/O Sanchit Paswan R/O Village- Gadhwa Tikuliya, P.S- Paharpur, Distt.- East Champaran.
2. Shambhu Paswan S/O Mathura Paswan R/O Village- Gadhwa Tikuliya, P.S- Paharpur, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar, Advocate
	:	Ms.Rashmi Jha, Advocate
For the Opposite Party/s	:	Mr.Arun Kumar Singh, APP
For the Informant	:	Mr.Dhananjay Kumar, Advocate
	:	Mr.Sunil Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 25-10-2024 1. Heard the learned counsel for the petitioners and the learned APP for the State.
2. The petitioners seek regular bail in connection with Paharpur PS case no. 27 of 2024 instituted for the offences punishable under Section 307 and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that on 22.01.2024, all the accused persons including the petitioner arrived near the house of the informant and started abusing her and her husband, on account of tying a cow near the house of accused persons, due to which, their houses got dirty.



When the informant side protested, two accused persons namely Shambhu Paswan and Bachan Paswan assaulted the husband of the informant by means of iron rod and wooden log, due to which, he sustained injury on his head. Other accused persons also assaulted the informant severally.

4. Learned Counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged. Learned counsel further submits that there is delay of 06 days in lodging F.I.R., inasmuch as the F.I.R. has been lodged on 28.01.2024, however the occurrence took place on 22.01.2024. He next submits that though the husband of the informant got injured by the assault made by the petitioners but injury report has not been brought on record. The petitioners are stated to be in custody since 25.04.2024. Lastly, it is submitted that co-accused Vinod Paswan has been granted anticipatory bail by this Court vide order dated 28.08.2024, passed in Cr. Misc. No. 49839 of 2024.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioners are languishing in custody for about six months, I am inclined to grant the privilege of regular bail to the petitioners.



7. This application is, accordingly, allowed.
8. Accordingly, the abovenamed petitioners are directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned court of Chief Judicial Magistrate, East Champaran, Motihari in connection with Paharpur PS case no. 27 of 2024.

(Anil Kumar Sinha, J)

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