

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51179 of 2024

Arising Out of PS. Case No.-257 Year-2023 Thana- MAGADH UNIVERSITY District- Gaya

1. Kailash Paswan, Male, aged about 62 years, Son of Late Milan Paswan
2. Vinod Paswan @ Vinod Kumar @ Vinod, Male, aged about 30 years, Son of Kailash Paswan
3. Sunil Paswan @ Sunil Kumar, Male, aged about 25 years, Son of Kailash Paswan
All are Resident of Village - Balwatand, Police Station - Magadh University, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-08-2024 Heard Mr. Aryan Singh, learned counsel appearing on behalf of the petitioners and Mr. Narsingh Tanti, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Magadh University P.S. Case No. 257 of 2023 registered for the offence(s) punishable under Sections 147, 149, 341, 323, 448, 325, 354, 307, 379, 34, 504 and 506 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused persons named therein including the petitioners had committed theft and tried to abduct the father of the informant and they also



outraged the modesty of the female members.

4. Learned counsel appearing on behalf of the petitioners submitted that one leg of petitioner no.1 is amputated and there is no specific allegation against the petitioners that they were involved in any manner in assaulting the family members of the informant or snatching gold chain. The story of abduction is falsified from the fact that on the same date father of the informant was taken to a hospital for his treatment, i.e., 31.07.2023. Learned counsel further informs that the reason for implicating the petitioners in a false case is due to long on going title suit No.162 of 2018/ 271 of 2014 between the petitioner and the informant side which was decreed in favour of petitioner no.1.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties and upon considering the allegation made in the FIR, I find the same to be general and omnibus in nature. I am of the opinion that petitioners have, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or



surrender before the Court below within a period of four weeks from today, 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 Judicial Magistrate, first Class, Gaya in connection with Magadh University P.S. Case No. 257 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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