

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58330 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- KHAIRA District- Jamui

1. Shyamsunder Paswan @ Shyam Paswan S/o Late Dhobi Paswan, R/o Village-Simra, PS-Khaira, Distt-Jamui.
2. Niranjana Kumar Paswan @ Niranjana Paswan S/o Rajkumar Paswan, R/o Village-Simra, PS-Khaira, Distt-Jamui.
3. Kundan kumar Paswan @ Kundan Paswan S/o Shyamsundar Paswan @ Shyam Paswan, R/o Village-Simra, PS-Khaira, Distt-Jamui.
4. Rajkumar Paswan S/o Late Sarjug Paswan, R/o Village-Simra, PS-Khaira, Distt-Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Khaira P.S. Case No.66 of 2024 instituted under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379, 504 & 506 of the Indian Penal Code.

3. As per the prosecution case, all the named 22 accused persons including the petitioners armed with stick, rod, axe and country made pistol came at the shop of brother-in-law of informant and looted the articles. The allegation against the



petitioner nos.1 & 3 is that they alongwith Pooja Kumari assaulted Pawan Saw by rod with intention to kill, who came to rescue the husband of informant, due to which blood started oozing from his head and he became unconscious. Allegation against the petitioner nos.2 & 4 is that they alongwith other accused persons lashed with *lathi* and *danda* assaulted Geeta Devi causing head injury. All accused persons including the petitioners altogether assaulted the informant side and robbed the articles lying in the shop and caused mischief amounting to Rs.5 lacs.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He further submits that both the parties are co-villagers and there was free fighting of two groups during the course of immersion of Goddess Saraswati, due to which both the parties received injury and there is case and counter case between the parties. Learned counsel submits that the injury on the persons of informant side are simple in nature. He further submits that antecedent of petitioners are clean and they undertake to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.



6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case No.66 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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