

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73200 of 2024

Arising Out of PS. Case No.-339 Year-2023 Thana- BHAGWANPUR District- Begusarai

1. Ram Chandra Paswan Son of Rasdhari Paswan Village- Malhipur, Ps- Bhagwanpur, dist- Begusarai
2. Gaya Nand Paswan Son of Ramchandra Paswan Village- Malhipur, Ps- Bhagwanpur, dist- Begusarai

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Bhagwanpur P.S. Case No. 339 of 2023 registered for the offences punishable under Sections 323, 324, 307, 379, 504, 506, 34 and 354B of the Indian Penal Code. They have got no criminal antecedent.

3. As per the prosecution story, on 08.12.2023 at about 06:00 pm in the evening the informant had gone for lighting diyas in her newly constructed house at Raja Sales Sthan where at once the petitioners along with Vijay Kumar Paswan, Ranjan Paswan and son-in-law of Vijay Kumar Paswan came there and started abusing her. On raising objection, co-



accused, namely, Vijay Paswan inflicted *pagharia* blow on her due to which she sustained injury. It is further alleged that all accused persons stabbed knife on the body of the informant. On hulla, people nearby came and the accused persons fled away. It is also alleged that they snatched ₹ 10,000/- from her.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case due to land dispute. It is submitted that there is a general and omnibus allegation against the petitioners. It is further submitted that there is case and counter case between the parties.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the submissions that there is a general and omnibus allegation against these petitioners, with regard to the same occurrence petitioner no. 2 has lodged a counter-case which is prior in time and these petitioners have no criminal antecedent, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named be released on bail in connection with Bhagwanpur P.S. Case No. 339 of 2023 on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two



sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st, Begusarai subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J.)

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