

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62964 of 2023

Arising Out of PS. Case No.-47 Year-2022 Thana- BADHAILA District- Rohtas

RABINDRA PASWAN S/o- Dashrath Paswan Village- Kushdhar Ps-
Baghaila Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Siddharth Harsh

For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 3 29-02-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Baghaila Police Station Case No. 47 of 2022, disclosing offences under Sections 341, 448, 323, 326, 337, 307, 504, 506, 34 of the Indian Penal Code.
3. As per the First Information Report, the petitioner has assaulted the informant by means of spear on his head.
4. Learned Counsel for the petitioner submits that both the parties are agnates and the occurrence has taken place due to previous dispute between them. Learned counsel next submits that a counter case has also been lodged by the side of the petitioner bearing Baghaila P.S. Case No. 48 of 2022. The injury caused to the informant is simple in nature as would be evident from the injury report referred in paragraph 46 of the case diary.
5. Learned counsel for the State does not dispute the



submission advanced by the learned counsel for the petitioner.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are agnates, there is a case and counter case between them and injury caused to the informant is simple in nature, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Baghaila Police Station Case No. 47 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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