

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66508 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- SASARAM NAGAR District- Rohtas

1. Pappu Kumar @ Gopal Paswan @ Pappu Paswan Son of Raj Keshwar Paswan @ Keshwar Paswan Resident of Village- Badki Karpurwa, P.S- Darigaon District- Rohtas (Sasaram)
2. Saroj Paswan @ Saroj Kumar Son of Raj Keshwar Paswan @ Keshwar Paswan Resident of Village- Badki Karpurwa, P.S- Darigaon District- Rohtas (Sasaram)
3. Balister Singh Son of Late Rambhajan Singh Resident of Village- Naugni, P.S- Darigaon District- Rohtas (Sasaram)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 01-10-2024 Learned counsel for the petitioners seeks permission of the Court to withdraw the present application in respect of petitioner no. 2 as the petitioner no.2 had died during the pendency of the present application.

2. Permission is accorded.

3. Accordingly, the present application stands dismissed as withdrawn against petitioner no.2. And, therefore, the present application survives only against petitioner nos. 1 and 3.

4. Heard learned counsel for the petitioner nos. 1 and



3 and learned APP for the State.

5. The petitioner nos. 1 and 3 apprehend their arrest in connection with Sasaram Town P.S. Case No. 78 of 2024 instituted for the offences under Sections 341, 323, 325, 307, 504, 506/34 of the Indian Penal Code.

6. Prosecution case, in short, is that the accused persons including the petitioner nos. 1 and 3 armed with lathi, danda and iron rod assaulted the informant with intention to kill him due to which he sustained injuries.

7. Learned counsel for the petitioner nos. 1 and 3 submitted that the petitioner nos. 1 and 3 have falsely been implicated in the present case. Learned counsel for the petitioner nos. 1 and 3 submitted that general and omnibus allegation has been made against the petitioner nos. 1 and 3. No specific overt act is alleged against the petitioner nos. 1 and 3. It has been submitted on behalf of the petitioner nos. 1 and 3 that the petitioner nos. 1 and 3 have no criminal antecedent.

8. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner nos. 1 and 3 and submitted that the injuries sustained by the informant are grievous in nature.

9. Considering the facts and circumstances of the case



and the nature of injuries sustained by the informant, this Court is not inclined to grant bail to the petitioner.

10. Accordingly, the prayer for grant of bail to the petitioner nos. 1 and 3 is, hereby, rejected.

11. However, liberty is granted to the petitioner nos. 1 and 3 to surrender before learned trial Court and seek regular bail.

(Rudra Prakash Mishra, J)

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