

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69128 of 2024

Arising Out of PS. Case No.-244 Year-2024 Thana- NOORSARAI District- Nalanda

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Goru Paswan Son of Late Indrajeet Paswan R/o - Godiha , P.S - Noorsarai,
District – Nalanda Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Noorsarai P.S. Case No.244 of 2024 for the offences punishable under Sections 147, 148, 149, 341, 324, 325 307, 379, 504 of the Indian Penal Code and Section 27 of the Arms Act lodged on 07.06.2024 by the informant, Niraj Kumar.

3. As per the prosecution story, the informant alleged that as he proceeded towards Noorsarai Police Station, unknown criminals armed variously surrounded and assaulted him. So far as this petitioner is concerned, he assaulted on the head by country made pistol, Biru Paswan gave sword blow. Manoj Paswan and Sonu Paswan gave iron rod blow while Shashi Paswan, Shiv Shankar Paswan, Gautam Paswan, Azad Paswan, Rajesh Paswan, Indrajeet Paswan, Rama Paswan, Bobby Paswan, Satyendra Paswan and Putus Paswan gave wooden rod blow on the head. As the villagers came to rescue, Binod Paswan opened fire which hit the right hand of Vikash Singh. Ashish



Paswan snatched the mobile of Vikash Singh while Biru Paswan and Shiru Paswan snatched gold chain of the informant. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that more than a dozen persons have assaulted, all on the head but only two injuries have been found that too simple in nature.

5. Learned APP opposes the prayer submitting that all of them have assaulted the informant.

6. Though assault is there, mainly it is against Binod Paswan who opened fire causing injury in the right hand. So far as the other accused persons including this petitioner is concerned, despite almost a dozen persons assaulting the informant, only two injuries have been found, though the same have been found to be simple in nature. It is true that the petitioner is having criminal antecedent, has remained in custody since 29.06.2024 (para-9 of the petition) and as undertaken, will be diligently appearing in the trial, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection



with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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