

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71618 of 2024

Arising Out of PS. Case No.-484 Year-2023 Thana- RAFIGANJ District- Aurangabad

1. Suresh Paswan Son of Late Moti Paswan Resident of Village - Nima Wajid, P.S. - Rafiganj, District - Aurangabad
2. Kameshwar Paswan Son of Late Moti Paswan Resident of Village - Nima Wajid, P.S. - Rafiganj, District - Aurangabad

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Partys

with
CRIMINAL MISCELLANEOUS No. 71737 of 2024

Arising Out of PS. Case No.-484 Year-2023 Thana- RAFIGANJ District- Aurangabad

1. Devendra Paswan @ Debendra Prasad Son of Suresh Paswan R/o village - Nima Wajid, P.S.- Rafiganj, District - Aurangabad
2. Ranvijay Paswan @ Ranvijay Kumar Son of Kameshwar Paswan R/o village - Nima Wajid, P.S.- Rafiganj, District - Aurangabad
3. Nagendra Paswan Son of Suresh Paswan R/o village - Nima Wajid, P.S.- Rafiganj, District - Aurangabad
4. Ranjan Paswan @ Ranjan Kumar Son of Kameshwar Paswan R/o village - Nima Wajid, P.S.- Rafiganj, District - Aurangabad

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Partys

Appearance :

(In CRIMINAL MISCELLANEOUS No. 71618 of 2024)

For the Petitioners : Mr. Ashok Singh, Advocate

For the State : Mr. Nitya Nand Tiwary, APP

(In CRIMINAL MISCELLANEOUS No. 71737 of 2024)

For the Petitioners : Mr. Ashok Kumar Singh, Advocate

For the State : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-10-2024 Heard learned counsel for the Petitioner as well as
learned APP for the State.



2. Both the anticipatory bail petitions have been taken up together because both of them arise out of the same Rafigang P.S. Case No.484 of 2023.

3. Both the petitions have been filed on behalf of the petitioners, apprehending their arrest, in connection with Rafigang P.S. Case No.484 of 2023, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per allegation, the Petitioners are alleged to have assaulted causing injury to the informant side and three others.

5. Ld. counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He further submits that the Petitioner side has also lodged Rafiganj P.S. Case No. 487 of 2023 registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

7. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.



8. Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

9. Considering the aforesaid facts and circumstances, particularly case and counter case between the parties, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. C.J.M, Aurangabad in connection with Rafiganj PS. Case No.-484 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong,



Ld. court below shall cancel the bail bonds of the petitioners.

Chandan/-

(Jitendra Kumar, J.)

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