

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71997 of 2024

Arising Out of PS. Case No.-86 Year-2024 Thana- GURARU District- Gaya

Kauleshwar Paswan Son of Rambilash Paswan Resident of Village
-Makhokhap Guraru PO and PS- Guraru, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharendra Kumar, Advocate
		Mr. Ashutosh Singh, Advocate
For the State	:	Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-10-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. Copy of the FIR of Guraru P.S. Case No. 87 of
2024 is filed by the learned counsel for the petitioner across the
Board.

3. The petitioner seeks bail, apprehending his arrest,
in connection with Guraru P.S. Case No. 86 of 2024 dated
18.05.2024, registered for the offences punishable under
Sections 147, 149, 341, 323, 307, 354, 379, 385, 452, 504 and
506 of the Indian Penal Code.

4. As per the allegation, the petitioner and other
accused persons have assaulted the husband and son causing
injury on the head.



5. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that alleged injury is simple in nature as per the injury report. He further submits that there is counter case filed by the petitioner's side against the informant's side bearing Guraru P.S. Case No. 87 of 2024 registered for the offences punishable under Sections 341, 323, 504, 506 read with Section 34 of the IPC and under Section 3(i)(r)(s) & 3(2)(va) of the SC/ST Act.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioner has 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 bail petition that the petitioner has one criminal antecedent.

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

9. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his 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 his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of Ld. A.C.J.M., Gaya in connection with Guraru P.S. Case No. 86 of 2024, 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 petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his 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 petitioner.

(Jitendra Kumar, J.)

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