

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75640 of 2024

Arising Out of PS. Case No.-409 Year-2024 Thana- BIHTA District- Patna

1. Pradum Kumar @ Praduman Paswan Son of Late Surendra Paswan Resident of Village- Painal, P.O. - Painal, P.S. - Bihta, District- Patna - 800111
2. Sunny Paswan @ Sadin Kumar Son of Ramesh Paswan @ Rinku Paswan Resident of Village- Painal, P.O. - Painal, P.S. - Bihta, District- Patna - 800111

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2024 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Bihta P.S. Case No. 409 of 2024 dated 04.05.2024, lodged under Sections 147, 149, 341, 323, 324, 354, 379, 307, 504 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against six named accused persons including the present petitioners. The specific allegation against the present petitioners is that they have attacked by *khanti* on the head of informant's son due to which he sustained injury.

4. Learned Counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. Counsel also submits that for the same date and place of occurrence, there is case and counter case, i.e. one case has been lodged from the informant's side bearing Bihta P.S. Case No. 409 of 2024 and one case has been lodged from the petitioner's side bearing Bihta P.S. Case No. 408 of 2024. Counsel further submits that from Annexure-3, entire event has been elaborately explained and since the commission of crime has been done by the informant's side, it is due to this reason that when they received information about lodging FIR from the petitioners side, then with a view to save their own skin, they have lodged the present case against the petitioners and others.

5. Learned Counsel for the petitioners further submits that the criminal antecedent of the petitioners are clean and both the informant's side and petitioners are well known to each other and they belong to same village.

6. Learned APP for the State opposes the prayer for bail of the petitioners.

7. As such, considering the aforesaid facts and circumstances, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail



bond of Rs.30,000/- (Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-1, Danapur, Patna in connection with Bihta P.S. Case No. 409 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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