

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79903 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- BELSAND District- Sitamarhi

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GANDHI PASWAN Son of Mahindra Paswan R/o vill - Maheshpur, P.S. -
Belsand, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Utpal Kant, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 5 01-04-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 341, 323, 324, 325, 326, 504, 34 of the IPC.
3. The Investigating Officer of the case in compliance
of order dated 28.03.2024 is present in the Court along with
injury report of the injured.
4. The learned APP submits that the injuries suffered
by the injured is simple in nature.
5. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the



informant with an allegation that he assaulted Chandeshwar Paswan by 'Dabia' on head causing injury. It is further submitted that on account of dispute relating to construction of house the present occurrence is alleged to have taken place. It is next submitted that even presuming what has been alleged is true without admitting then the blow was not repeated and the injuries suffered by the injured is simple in nature which amply demonstrate that petitioner never had any intention of committing a serious occurrence. It is also submitted that petitioner is not a criminal, rather is a person with clean antecedent and is a senior citizen.

6. The learned APP opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail 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 the learned Judicial Magistrate, Ist Class, Sitamarhi in connection with Belsand P.S. Case No.63 of 2023, subject to the conditions laid down under Section 438(2) of the



Cr.P.C.

8. The personal appearance of the Investigating Officer of the case is dispensed with.

9. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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