

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77896 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- SAHEBPUR KAMAL District- Begusarai

Amrendra Kumar Paswan S/o- Late Medani Paswan R/o- Vill Po Ps-Sahebpur
Kamal Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Binode Bariar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 26-11-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Sahebpur Kamal PS case no. 47 of 2024,
disclosing offences punishable under Section 302 and other
allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information
Report, is that on 25.02.2024 in the evening, while the
informant was at his door, the petitioner along with other
accused persons; total 11 in numbers, armed with iron rod,
lathi etc. arrived and started abusing the informant. On
objection being raised, they assaulted the informant with iron
rod, lathi and danda. They also assaulted brother of the



informant, due to which, he sustained head injury and was admitted in the hospital. Informant was assaulted by Buchchi Paswan, Ram Das Paswan, Arvind Paswan and the petitioner by iron rod, lathi and danda, due to which, his hand was broken.

4. Learned Counsel for the petitioner submits that petitioner along with entire family members have been made accused on the basis of false and baseless allegation. Learned counsel further submits that informant and his family members are involved in illegal business and whenever any neighbour complained before the Police about their activities, he suspects that petitioner and his family members have made the complaint. An inforamatory petition bearing Informatory Petition No. 236 of 2024 was also filed in the Court of learned Chief Judicial Magistrate, Begusarai to this effect. He next submits that the informant is an ex-serviceman and has retired from the post of Constable/ GD, C.R.P.F. due to invalidation. He developed an eye problem, due to which, he lost eye-sight of one eye. The petitioner is also suffering from Parkinson disease, which is a severe kind of neurological disorder and his treatment is going on in Neurology Department, I.G.I.M.S., Patna. Learned counsel also submits that a representation has



been filed by the petitioner before the Dy.S.P., Balia, Begusarai stating that informant has falsely implicated the petitioner and his family members due to previous grudge. Lastly, it is submitted that the allegation against the petitioner is general and omnibus in nature that he along with other accused persons assaulted the informant. Specific allegation of fatal blow on the head of brother of the informant namely Dharmveer Kumar (deceased) is upon the co-accused persons namely Suraj Paswan and Kare Yadav.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that allegation of assault against the petitioner is general and omnibus in nature and brother of the informant (deceased) was assaulted by co-accused persons namely Suraj Paswan and Kare Yadav, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge-VI-cum-ACJM-IV,



Begusarai in connection with Sahebpur Kamal PS case no. 47
of 2024, subject to the condition laid down under Section 438
(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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