

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78442 of 2024

Arising Out of PS. Case No.-264 Year-2024 Thana- CHAINPUR District- Kaimur (Bhabua)

Rohit Paswan @ Dhannu Paswan Son of Moti Paswan Resient of Village-
Lakhmanpur, P.S.- Chainpur, Distt.- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 04-12-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Chainpur Police Station Case No. 264 of 2024, dated 17.07.2024, disclosing offences punishable under Sections 127(1)/115(2)/117(2)/118(2)/109/352/351(2)/3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that on 17.07.2024 at about 02:30 PM, the informant got information that co-accused persons were filling soil in the land of the informant and when the informant along with others went to prevent the co-accused persons, all the co-accused persons started abusing and assaulting



them. The petitioner along with co-accused persons, namely, Mukesh Bind, Neta Pyare Bind and Suresh Bind were having country-made pistols, while other co-accused persons were carrying lathi, danda, farsha etc. in their hands. The accused persons assaulted the informant, his uncle and his father, due to which the left thumb of the informant got fractured, the uncle of the informant sustained injury on his head and ear; whereas the hand of the father of the informant got fractured.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to village politics and rivalry between other co-accused persons and the informant, who are agnates. He further submits that nobody has received bullet injury due to the firing resorted by the accused persons, including the petitioner. He further submits that similarly situated co-accused persons, namely, Mukesh Bind, Neta Pyare Bind and Suresh Bind, along with other co-accused persons, have been granted anticipatory bail by a co-ordinate Bench of this Court, vide order, dated 12.11.2024, passed in Criminal Misc. No. 75712 of 2024.
5. Regards being had to the submissions advanced on behalf



of the parties and taking into consideration the fact that similarly situated co-accused persons have been granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, 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 2nd Additional Chief Judicial Magistrate, Kaimur, at Bhabhua, in connection with Chainpur Police Station Case No. 264 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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