

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77830 of 2023

Arising Out of PS. Case No.-443 Year-2023 Thana- GHORASAHAN District- East
Champaran

-
1. GIRJA DEVI W/O SUJAY PASWAN RESIDENT OF VILLAGE-
JHAROKHAR, P.S- JHAROKHAR, DIST.- EAST CHAMPARAN.
 2. MANJU DEVI @ RANJU DEVI W/O ABHAY PASWAN RESIDENT OF
VILLAGE- JHAROKHAR, P.S- JHAROKHAR, DIST.- EAST
CHAMPARAN.
 3. BALIRAM PASWAN S/O LATE RAGHUNATH PASWAN RESIDENT OF
VILLAGE- JHAROKHAR, P.S- JHAROKHAR, DIST.- EAST
CHAMPARAN.
 4. SHIVNATH PASWAN S/O LATE VIPAT PASWAN RESIDENT OF
VILLAGE- JHAROKHAR, P.S- JHAROKHAR, DIST.- EAST
CHAMPARAN.
 5. ANITA DEVI W/O HARENDRA PASWAN RESIDENT OF VILLAGE-
JHAROKHAR, P.S- JHAROKHAR, DIST.- EAST CHAMPARAN.
 6. HARENDRA PASWAN S/O LATE RAMAGYA PASWAN RESIDENT OF
VILLAGE- JHAROKHAR, P.S- JHAROKHAR, DIST.- EAST
CHAMPARAN.
 7. BRIJKISHORE PASWAN S/O LATE MUNNI PASWAN RESIDENT OF
VILLAGE- JHAROKHAR, P.S- JHAROKHAR, DIST.- EAST
CHAMPARAN.
 8. GAJENDRA PASWAN S/O LATE RAMAGYA PASWAN RESIDENT OF
VILLAGE- JHAROKHAR, P.S- JHAROKHAR, DIST.- EAST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar, Adv.
		Mr. Hemant Ray, Adv.
For the Opposite Party/s :		Mr.Arun Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioners and learned
counsel for the State.

2. Learned counsel for the petitioners seeks



permission to withdraw the present application for the petitioner no. 3 and 4 namely, Baliram Paswan and Shivnath Paswan respectively.

3. Permission is accorded.

4. Accordingly, the present application for the petitioner no. 3 and 4 namely, Baliram Paswan and Shivnath Paswan respectively is dismissed as withdrawn.

5. The petitioner no. 1-2 and 5-8 are apprehending their arrest in a case in connection with Ghorasahan (Jharokhar) P.S. Case No. 443 of 2023 dated 25.07.2023 registered for the offence/s punishable u/ss 147, 148, 149, 341, 323, 332, 333, 307, 302, 353, 379 of the Indian Penal Code and section 45 of the Bihar Prohibition and Excise Act.

6. As per the prosecution case, the co-accused Abhay Paswan was stopped by police with his motorcycle. There was a smell of alcohol coming out from his mouth but he refused to get tested through the breath analyzer machine and started making noise. Thereafter, some acquainted persons of the accused Abhay Paswan came there and started assaulting the police party with sticks, bricks and stones due to that they got severely injured and they also snatched the informant's mobile. One police personnel, Hriday Nath died in course of treatment.



7. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not named in the FIR. The name of the petitioners has sprung up on the basis of re-statement of the informant. There is general and omnibus allegation against the petitioners. Nothing has been recovered from the conscious possession of the petitioners. There is no specific allegation against the petitioners. The petitioner no. 1, 2 and 5 are ladies. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

8. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

9. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioner no. 1-2 and 5-8, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, East Champaran at Motihari, Bihar in connection with Ghorasahan (Jharokhar) P.S. Case No. 443 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal



Procedure.

10. This application for the petitioner no. 1-2 and 5-8
stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

U		T	
---	--	---	--

