

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81097 of 2023

Arising Out of PS. Case No.-355 Year-2022 Thana- SARAI District- Vaishali

1. Satendra Paswan S/O Late Chandeshwar Paswan Resident Of Village- Akhitiyarpur Patedha, P.S.- Sarai, District- Vaishali
2. Ankaj Kumar @ Anish Kumar S/O Satendra Paswan Resident Of Village- Akhitiyarpur Patedha, P.S.- Sarai, District- Vaishali
3. Dharmendra Kumar @ Dharmendra Paswan S/O Sanoj Paswan Resident Of Village- Akhitiyarpur Patedha, P.S.- Sarai, District- Vaishali
4. Niraj Kumar @ Nitesh Kumar S/O Raj Kishore Paswan Resident Of Village- Akhitiyarpur Patedha, P.S.- Sarai, District- Vaishali
5. Sanoj Paswan S/O Binda Paswan Resident Of Village- Akhitiyarpur Patedha, P.S.- Sarai, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State as well as learned counsel for the informant.

2. The petitioners apprehend arrest in connection with
Sarai P.S. Case No. 355 of 2022 dated 10.11.2022 instituted for
the offence punishable under Sections 323, 324, 341, 354/34 of
the Indian Penal Code.

3. The prosecution case, in short, is that on
29.10.2022 at about 6 pm, the petitioners entered the house of
the informant with bad intention. On protest by the informant,



petitioner Anish Kumar assaulted by fists on her head. Petitioner Satendra Paswan pointed pistol on her head and threatened to kill. Thereafter, Dharmendra Kumar, Anish Kumar and Nitesh Kumar, who were in inebriated condition, were taking away her nephew and daughters, but on alarm and arrival of her family members, they fled away.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the present case is counter blast of SC/ST P.S. Case No. 41 of 2022 lodged by wife of the petitioner no. 1 against the sons, husband and other family members of the informant of the present case. Learned counsel for the petitioners submits that witnesses have not supported the prosecution version, and also, no injury report is available in the case diary, which shows that the allegation levelled against the petitioner is false. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. On the other hand, learned A.P.P. and learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioners. Learned counsel for the informant submits that the petitioners entered the house of the informant and they were trying to take away the daughters and



and nephew of the informant.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Sarai P.S. Case No. 355 of 2022, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 16th Vaishali at Hajipur subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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