

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85746 of 2023

Arising Out of PS. Case No.-253 Year-2021 Thana- KOCHAS District- Rohtas

1. Pintu Paswan Son of Mina Paswan R/o vill - Laheri, P.S. - Kochas, Distt. - Rohtas at Sasaram
2. Dhanji Paswan Son of Maina Paswan R/o vill - Laheri, P.S. - Kochas, Distt. - Rohtas at Sasaram
3. Sri Ram Paswan Son of Late Bhikhari Paswan R/o vill - Laheri, P.S. - Kochas, Distt. - Rohtas at Sasaram
4. Tufani Paswan Son of Suresh Paswan R/o vill - Laheri, P.S. - Kochas, Distt. - Rohtas at Sasaram
5. Rampravesh Paswan Son of Suresh Paswan R/o vill - Laheri, P.S. - Kochas, Distt. - Rohtas at Sasaram
6. Durgi Paswan @ Ajit Paswan @ Dugri Paswan Son of Suresh Paswan R/o vill - Laheri, P.S. - Kochas, Distt. - Rohtas at Sasaram
7. Mukhlal Paswan Son of Sri Ram Paswan R/o vill - Laheri, P.S. - Kochas, Distt. - Rohtas at Sasaram
8. Mukteshwar Paswan Son of Sri Ram Paswan R/o vill - Laheri, P.S. - Kochas, Distt. - Rohtas at Sasaram
9. Govind Paswan Son of Shree Bhagwan Paswan R/o vill - Laheri, P.S. - Kochas, Distt. - Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Kochas P.S. Case No. 253 of 2021, registered for the offences under Sections



147, 148, 149, 323, 341, 448, 436, 427, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, the petitioners came to the hut of the informant and assaulted the informant asking about whereabouts of his son. The informant became unconscious and he was thrown out from his hut which was set on fire by the assailants.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case due to previous land dispute. Allegations are general and omnibus. The whole prosecution story is false and concocted. There is admitted land dispute and Title Partition Suit No. 356 of 2012 was filed by petitioner no.1 which is pending against the informant and others. No injury report has been brought on record and FIR has been registered after much delay. Allegation of setting the hut on fire is not believable. Petitioners are having clean antecedent.

5. Learned APP opposes the prayer for bail submitting that the petitioners have been named in this case.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the general and omnibus nature of allegation and also considering



the possibility of false implication in the background of land dispute, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sasaram/concerned court in connection with Kochas P.S. Case No. 253 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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