

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82828 of 2023

Arising Out of PS. Case No.-174 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. APPU PASWAN @ MANOHAR @ MANOHAR KUMAR SON OF
RAMCHANDRA PASWAN R/O VILLAGE- RUPDIH, P.S.- MUFFASIL,
DIST.- EAST CHAMPARAN
 2. BABLOO PASWAN @ BABLOO KUMAR SON OF SOHAN PASWAN
R/O VILLAGE- RUPDIH, P.S.- MUFFASIL, DIST.- EAST CHAMPARAN
 3. BITTU KUMAR @ GAUTAM KUMAR SON OF LALU PASWAN R/O
VILLAGE- BADHKURWA (VARKURWA), P.S.- MUFFASIL, DIST.-
EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore@ Kundan Kumar , Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

State.

2. Petitioners apprehend their arrest in a case
registered for the offence punishable under sections 147, 149,
341 , 323 , 325 , 307, 302, 379, 452 of the Indian Penal Code.

3. As per prosecution case, these petitioners, along
with 5–6 other unknown persons armed with weapons, tried to
enter the informant's house. It is further alleged that co-accused
Pramod Paswan assaulted the informant by means of an iron
rod, as a result of which he sustained injuries to his mouth, lips,



teeth, and nose. It is further alleged that when the informant's grand mother came to rescue him, co-accused Karan Paswan, Raushan Kumar, and Bipin Paswan assaulted her by means of the butt of Three Nata (pistol), as a result of which she sustained an injury to the back portion of her head. It is further alleged that some articles of gold worth Rs. 1,50,000 were looted by co-accused Aditya Paswan from the house of the informant's grandmother. It is further alleged that Rs. 22,000 in cash was snatched by co-accused Bipin Paswan from the pocket of the informant. It is further alleged that during the course of treatment, the informant's grandmother died.

4. It is submitted on behalf of the petitioners that specific allegation of assault is against other co-accused persons. However, these petitioners are concerned there is general and omnibus allegation against them and they are only alleged to be the members of mob and no specific allegation is attributed against them. Similarly situated co-accused person has already granted bail by this Court vide order dated 08.09.2023 in Cr. Misc. No. 46231 of 2023 .

5. Learned counsel for the State oppose the bail petition.

6 Considering the general and omnibus allegation



and other circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate , East Champaran , Motihari in connection with Motihari Mussafil P.S. Case No. 174 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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