

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1842 of 2024

Arising Out of PS. Case No.-297 Year-2023 Thana- KHIJARSARAI District- Gaya

1. Koushlendra Paswan Son Of Sakaldip Paswan R/O Village- Naudiha, P.S.- Khizarsarai, Dist.- Gaya (Bihar)
2. Sanni Paswan @ Sanni Kumar Son Of Koushlendra Paswan R/O Village- Naudiha, P.S.- Khizarsarai, Dist.- Gaya (Bihar)
3. Ramta Paswan Son Of Sakaldip Paswan R/O Village- Naudiha, P.S.- Khizarsarai, Dist.- Gaya (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 08-05-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Khizarsarai P.S. Case No. 297 of 2023 dated 01.08.2023 instituted for the offence punishable under Sections 341, 323, 325, 307, 379/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged date of occurrence, the petitioners along with other accused persons, came at the house of the informant and brutally assaulted him and snatched one gold chain from his wife. It is also alleged that petitioners, namely, Koushlendra Paswan and



Sanni Paswan @ Sanni Kumar assaulted the informant's son and wife with iron rod.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. Learned counsel for the petitioners submits that there is no specific allegation against the petitioners. Allegation levelled against the petitioners are general and omnibus. F.I.R. has been lodged after four days from the date of occurrence. Learned counsel for the petitioners submits that from perusal of the F.I.R., it is evident that no intention or reason for the occurrence has been stated by the informant. Learned counsel for the petitioners submits that the informant's side is in the habit of lodging false case against the petitioners' side which is evident from the fact that the informant's side lodged one Khizarsarai P.S. Case No. 12 of 2023 against the petitioners for same accusation and once the petitioners were allowed bail in that case, they again lodged malicious prosecution against them. Learned counsel for the petitioners further submits that both the parties are neighbours. Lastly, it has been submitted that petitioners have one criminal case against them.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.



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 Khizarsarai P.S. Case No. 297 of 2023, 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-IV, Gaya subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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