

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23733 of 2025

Arising Out of PS. Case No.-439 Year-2024 Thana- JAGDISHPUR District- Bhojpur

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1. Janardan Paswan @ Janardan Ram S/O Late Jhalku Paswan R/O Vill.- Hardiya, P.S.- Jagdishpur, Dist.- Bhojpur
 2. Uma Shankar Paswan S/O Janardan Paswan R/O Vill.- Hardiya, P.S.- Jagdishpur, Dist.- Bhojpur
 3. Rama Shankar Paswan S/O Janardan Paswan R/O Vill.- Hardiya, P.S.- Jagdishpur, Dist.- Bhojpur
 4. Chandeo Paswan @ Chandradeo Paswan S/O Late Sangam Paswan R/O Vill.- Hardiya, P.S.- Jagdishpur, Dist.- Bhojpur
 5. Harendra Paswan S/O Lakshman Paswan R/O Vill.- Hardiya, P.S.- Jagdishpur, Dist.- Bhojpur
 6. Butan Yadav S/O Dasrath Yadav R/O Vill.- Panapur, P.S.- Jagdishpur, Dist.- Bhojpur

... .. Petitioners

Versus

The State of Bihar Patna

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Singh, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 191(2), 191(3), 190, 109, 329(3), 324(4), 325(5) of BNSS and Section 27 of Arms Act.

3. The case of the prosecution in brief is that the informant namely *Bablu* alleged that on 22.12.2024 at about 06:30 PM, all the persons named in the FIR arrived at his agricultural wheat field armed with rifles and cartridges. It is



further alleged that they started firing and ploughing the wheat field with a tractor, thereby damaging the crop and hence the FIR.

4. Learned counsel for the petitioners, at the outset, pointed out that petitioner no. 2 has been arrested and, therefore, his prayer for grant of anticipatory bail has become infructuous. His prayer for grant of anticipatory bail may not be considered.

5. So far as other petitioners are concerned, it is submitted that they are innocent and have been falsely implicated in the present case, it is next submitted that there is an existing previous dispute relating to land between the informant and the petitioners which is reflected from the FIR itself where the informant has admitted that it is a case of land dispute. The learned counsel for the petitioners further submits that there is no specific allegation against any one of the petitioners and that a general and omnibus allegation has been made that all the petitioners came and started firing. As per the learned counsel for the petitioners, they have been simply implicated in the present case because of the previously existing land dispute.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



7. Considering the fact that there is no specific allegation against any of the petitioners of having fired and also that a general and omnibus allegation has been levelled against all the petitioners, which may have happened on account of land dispute existing from before, which has been accepted by the informant in the FIR. Therefore, the petitioner nos. 1,3,4,5,6 in the event of their arrest or surrender within four weeks from today, let the petitioner nos. 1,3,4,5,6, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-1st, Ara in connection with Jagdishpur P.S. Case No. 439 of 2024, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 .

8. The prayer for grant of anticipatory bail of petitioner no. 2 has not been considered as it has become infructuous.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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