

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60301 of 2024

Arising Out of PS. Case No.-260 Year-2024 Thana- SAUR BAZAR District- Saharsa

1. Ranjit Paswan SON OF MAHENDRA PASWAN VILLAGE- JAGIR, WARD NO. 15, JAGIR, PO- DHAMSENA, PS- SAUR BAZAR, DIST- SAHARSA
2. RAJESH PASWAN SON OF MAHENDRA PASWAN VILLAGE- JAGIR, WARD NO. 15, JAGIR, PO- DHAMSENA, PS- SAUR BAZAR, DIST- SAHARSA
3. MAHENDRA PASWAN SON OF LATE TARNI PASWAN VILLAGE- JAGIR, WARD NO. 15, JAGIR, PO- DHAMSENA, PS- SAUR BAZAR, DIST- SAHARSA
4. AMIT PASWAN SON OF BIJEN PASWAN @ BIJENDRA PASWAN VILLAGE- JAGIR, WARD NO. 15, JAGIR, PO- DHAMSENA, PS- SAUR BAZAR, DIST- SAHARSA
5. SATYA NARAYAN PASWAN SON OF LATE TARNI PASWAN VILLAGE- JAGIR, WARD NO. 15, JAGIR, PO- DHAMSENA, PS- SAUR BAZAR, DIST- SAHARSA
6. BANA PASWAN SON OF LATE TARNI PASWAN VILLAGE- JAGIR, WARD NO. 15, JAGIR, PO- DHAMSENA, PS- SAUR BAZAR, DIST- SAHARSA
7. DIPAK PASWAN @ DIPAK KUMAR SON OF BANA PASWAN VILLAGE- JAGIR, WARD NO. 15, JAGIR, PO- DHAMSENA, PS- SAUR BAZAR, DIST- SAHARSA

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shailendra Paswan son of Nago Paswan village- Jagir, Ward no. 16, Panchayat- Sahuriya Paschimi, Ps- Saur Bazar, Dist- Saharsa PIN-852202

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 62764 of 2024

Arising Out of PS. Case No.-260 Year-2024 Thana- SAUR BAZAR District- Saharsa

1. Sarvesh Paswan son of Satya Narayan Paswan Resident of Village -Jagir Ward No 15, PO- Dhamsena P.S.- Saur Bazar, District -Saharsa
2. Durgesh Paswan son of Satya Narayan Paswan Resident of Village -Jagir Ward No 15, PO- Dhamsena P.S.- Saur Bazar, District -Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar



2. Shailendra Paswan son of Nago Paswan Resident of Village -Jagir Ward No 16, Panchayat- Sahuriya Paschimi, PO- Dhamsena P.S.- Saur Bazar, District -Saharsa

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 60301 of 2024)

For the Petitioner/s : Mr. Piyush Saurav, Adv
Mr. Avdhesh Kumar, Adv
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP
Mr. Anant Kumar, Adv
Mr. Sanjay Kumar Singh, Adv

(In CRIMINAL MISCELLANEOUS No. 62764 of 2024)

For the Petitioner/s : Mr. Piyush Saurav, Adv
Mr. Avdhesh Kumar, Adv
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP
Mr. Anant Kumar, Adv
Mr. Sanjay Kumar Singh, Adv

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 24-01-2025 The jointness petition has been filed by the learned
counsel for the petitioners.

2. Learned counsel appearing on behalf of the
petitioners submits that he may be permitted to withdraw Cr.
Misc. No. 60301 of 2024 as against the petitioner no. 1, namely
Ranjit Paswan and Cr. Misc. No. 62764 of 2024 as against
petitioner no. 1, namely Sarvesh Paswan.

3. Permission is accorded.

4. Accordingly, Cr. Misc. No. 60301 of 2024 as
against the petitioner no. 1, namely Ranjit Paswan and Cr.
Misc. No. 62764 of 2024 as against petitioner no. 1, namely
Sarvesh Paswan stands dismissed.



5. Heard learned counsel for the petitioners and learned APP for the State.

6. The petitioners apprehend arrest in connection with Saur Bazar P.S. Case No. 260 of 2024 instituted under Sections 341, 323, 324, 307, 506, 354, 379, 504 and 34 of the Indian Penal Code and under Section 8 of POCSO Act, 2012.

7. As per the prosecution case, due to trivial dispute, the occurrence has taken place. Thirteen persons are named in the FIR. They are said to have misbehaved with one minor girl and assaulted the prosecution side. Sarvesh Paswan is said to have assaulted the victim with rod. Sujit Paswan has assaulted Shailendra Paswan on his head. Ranjit Paswan has assaulted Sumita Devi with a rod on her head. Mahendra Paswan assaulted with a stick. Manoj Paswan has assaulted Rudal Paswan on his left hand. Sanoj Kumar snatched the mobile of Deepak Kumar. All the accused persons snatched Rs. 20,000/- and gold ornament.

8. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Due to trivial dispute, all the accused persons have been falsely implicated in this case. He further submits that there is a counter case also.



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

10. Since the rest of the accused persons are not the assailant and the accused Mahendra Paswan is of seventy years, their anticipatory bail application stands allowed.

11. Accordingly, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner nos. 2 to 7 in Cr. Misc. No. 60301 of 2024 and petitioner no. 2 in Cr. Misc. No. 62764 of 2024, above named, be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO, Saharsa in Saur Bazar P.S. Case No. 260 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sandeep Kumar, J)

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