

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83665 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- KHAGAUL District- Patna

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1. Sarita Devi Wife of Ashok Paswan R/O Nayanchak, P.S.- Khagaul Distt.- Patna
 2. Khushboo Kumari D/O Ashok Paswan R/O Nayanchak, P.S.- Khagaul Distt.- Patna
 3. Rishbu Kumari D/O Ashok Paswan R/O Nayanchak, P.S.- Khagaul Distt.- Patna
 4. Madhuri Kumari D/O Ashok Paswan R/O Nayanchak, P.S.- Khagaul Distt.- Patna
 5. Vivek Kumar @ Vikku Kumar Son of Ashok Paswan R/O Nayanchak, P.S.- Khagaul Distt.- Patna
 6. Manish Kumari Wife of Abhishek Paswan R/O Nayanchak, P.S.- Khagaul Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Ms. Shikha Roy, Advocate
For the State	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-03-2025 Heard learned counsels for the parties.

2. At the outset, learned counsel appearing on behalf of the petitioners seek permission to withdraw this anticipatory bail application on behalf of Petitioner No. 1, namely Sarita Devi, as during pendency of this case, Petitioner No. 1 has already been arrested and the same has become infructuous.

3. Permission, as prayed for, is accorded.

4. Accordingly, this anticipatory bail application on



behalf of Petitioner No. 1 stands dismissed as withdrawn.

5. Petitioner Nos. 2 to 6 apprehend their arrest in a case registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

6. The prosecution case, in brief, is that on 08.02.2024 at about 9:30 PM, while brother of informant, namely Bhanu Paswan, was coming home from market in the meantime all the accused persons named in the F.I.R., including these petitioners, caught and shot him. After the occurrence, brother of informant was brought to Paras Hospital where doctor declared him dead. It is further alleged that earlier also, accused persons had assaulted brother of informant and threatened to kill him.

7. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. Informant is not an eye witness of the alleged occurrence and petitioners have falsely been implicated in this case only on suspicion. It is further submitted that informant has not disclosed the source of information as to how he came to know that these petitioners have committed the alleged occurrence, which itself creates doubt on the entire prosecution case. Petitioners claim clean antecedents.



8. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

9. Considering the aforesaid facts and circumstances, general and omnibus nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to Petitioner Nos. 2 to 6 is allowed.

10. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner Nos. 2 to 6 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 learned A.C.J.M.-Vth, Danapur in connection with Khagaul P.S. Case No. 33 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

11. With the aforesaid directions, this application stands disposed of.

(Prabhat Kumar Singh, J)

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