

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81134 of 2024

Arising Out of PS. Case No.-230 Year-2020 Thana- BARH District- Patna

- 1 . Karu Paswan @ Abadhesh Paswan Son of Suresh Paswan Resident of village - Jalgovind, Police Station - Barh, Dist- Patna
2. Nitish Kumar @ Nitish Paswan @ Rajneesh Kumar son of Sulo Paswan @ Surendra Paswan Resident of village - Jalgovind, Police Station - Barh, Dist- Patna
- 3 . Rakesh Paswan @ Rakesh Kumar @ Sakesh Paswan son of Kailu Paswan @ Rambabu Paswan Resident of village - Jalgovind, Police Station - Barh, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 23-01-2025 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 , 448 , 307, 354, 427, 379 and 504 of the Indian Penal Code and 27 of Arms Act.

3 . As per the prosecution case , on the alleged date and time of occurrence , petitioner Nos. 1 and 2 came with pistol and assaulted on the head of brother of informant. It is further alleged that these petitioners along with other co-accused persons entered the house of informant and took gold



ornaments.

4. It is submitted on behalf of the petitioners that the petitioners are innocent and has falsely been implicated in this case . The present case is counter blast of Barh P S Case No. 233 of 2020 which was lodged by co-accused Vicky Kumar against informant and others. Both the parties are co-villager and there is admitted land dispute between them for which Title Suit No. 77 of 2001 was filed by the petitioners against prosecution side and the same was decided in favour of these petitioners on 31.01.2018. He further submits that due to land dispute a simple occurrence of maarpeet took place between them in which petitioners have also sustained injuries. Rest of the allegations are super-addition to make the case grave in nature against these petitioners. Petitioners claim clean antecedent.

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

6 Considering the fact that there is admitted land dispute between the parties, case and counter case , clean antecedents of these petitioners and other circumstances of the case , in the event of arrest or surrender within eight 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 ACJM I Barh in connection Barh P.S. Case No. 230 of 2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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