

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85356 of 2024

Arising Out of PS. Case No.-311 Year-2023 Thana- KHODAWANDPUR District- Begusarai

1. Mahesh Paswan S/O Late Sonelal Paswan R/O Village- Mohanpur, Ward no 2,(Meghaul), P.S Khodawandpur District- Begusarai
2. Krishna Kumar @ Krishna Kumar Sah @ Krishan Kumar S/O Rajkumar Sah R/O Village- Mohanpur, Ward no 2,(Meghaul), P.S Khodawandpur District- Begusarai
3. Santosh Kumar Sah @ Santosh Kumar S/O Rajkumar Sah R/O Village- Mohanpur, Ward no 2,(Meghaul), P.S Khodawandpur District- Begusarai
4. Rajkumar Sah S/O Late Lakhan Sah R/O Village- Mohanpur, Ward no 2, (Meghaul), P.S Khodawandpur District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr.Rajendra Singh Shastri, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-04-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Khodawandpur P.S. Case No. 311 of 2023 dated 14.11.2023 registered for the offences punishable u/ss 341, 323, 504, 506, 337, 307 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, due to previous dispute, the petitioner and the co-accused persons came to the house of the informant and started assaulting with bricks,



stones, iron rod and iron katta causing head injury to the informant's father and Chhannu Sah.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is a case and counter case between the parties. There is no specific allegation against the petitioners. There is no repetition of blow and the petitioner had no intention of causing death. As per the injury report of the informant's father, the injury is stated to be grievous in nature and the injury of Chhannu Sah is stated to be simple in nature. Nothing has been recovered from the conscious possession of the petitioners. It is further submitted that the petitioners have no concern with the alleged offence. The co-accused persons have already been granted anticipatory bail by this court vide order dated 19.03.2024 passed in Cr. Misc. No. 21977/2024. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioners, let the above named petitioners, in the



event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Begusarai in connection with Khodawandpur P.S. Case No. 311 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with further condition :-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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