

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79714 of 2025

Arising Out of PS. Case No.-197 Year-2024 Thana- TURKAULIYA District- East Champaran

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1. Chandeshwar Paswan Son of Janak Paswan Resident of Village - Nariyarwa, P.S.- Turkauliya, District - East Champaran
 2. Abu Paswan Son of Janak Paswan Resident of Village - Nariyarwa, P.S.- Turkauliya, District - East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-12-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Turkauliya P.S. Case No. 197 of 2024, registered for the offences punishable under Sections 341, 323, 504, 324, 307, 427, 379 354(KH) 34 of the Indian Penal Code.

3. In the morning of the fateful day, while the informant was sitting at her darwaza, in the meanwhile, the petitioners along with others variously armed came there and started abusing. On protest, co-accused Abhi Kumar assaulted her by means of sword, whereas these two petitioners caught hold the hair of the informant and started dragging, due to which she also got disrobed. There is further allegation of snatching of valuables against the petitioners with others.



4. Learned Advocate for the petitioners submitted that with regard to an occurrence, which took place on 27.03.2024, the present FIR came to be instituted on 02.04.2024 without there being any explanation for delay. Moreover, as per the instruction, the injury which is allegedly sustained to the informant is concerned, the same has been found to be simple in nature; above all not attributed to the petitioner. There is counter version of the present case being Turkauliya P.S. Case No. 194 of 2024 instituted by the co-accused Sultani Devi against the informant and others. Referring thereto, he further submits that the present case is nothing but a counter blast to the aforesaid case. The petitioners are men of fair antecedents and the undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application.

6. Regard being had to the submissions made by the learned Advocates for the respective parties and considering the accusation against the petitioners coupled with the unexplained delay in lodging of the FIR; besides the fact that prior to the institution of the present case, one of the co-accused had instituted a case against the informant and others as also their fair



antecedents, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Turkauliya P.S. Case No. 197 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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