

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85050 of 2024

Arising Out of PS. Case No.-352 Year-2024 Thana- HILSA District- Nalanda

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1. Nitish Kumar Son of Laxmi Paswan village- Redi, Ps- Hilsa, Dist- Nalanda
 2. Laxmi Paswan Son of Late Bhatu Paswan village- Redi, Ps- Hilsa, Dist- Nalanda
 3. Sripati Paswan Son of Late Jagdish Paswan village- Redi, Ps- Hilsa, Dist- Nalanda
 4. Parvind Paswan @ Pravind Paswan son of Late Ramjee Paswan village- Redi, Ps- Hilsa, Dist- Nalanda
 5. Rahul Ram son of Shrawan Ram village- Redi, Ps- Hilsa, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar
For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-01-2025 1. Heard the parties.

2. The petitioners apprehend arrest in connection with Hilsa P.S. Case No. 352 of 2024 dated 03.06.2024 registered under Sections 341, 323, 324, 307, 354, 354 (B), 504, 506, 509 of the I.P.C. and Section 27 of the Arms Act.

3. As per the first information report on 13.05.2024 in the night at about 8:00 P.M. the accused persons namely, Amit Paswan and Shakti Paswan were abusing the informant and upon protest, the co-accused / Amit Paswan assaulted the informant by the butt of pistol and Shakti Paswan assaulted the



informant by iron rod. The allegation against the petitioners is that the petitioner no. 1 snatched gold locket and cash of Rs. 3000/- from the possession of the informant and the petitioner nos. 2 to 5 disrobed and tried to outrage the modesty of the informant's wife. They also assaulted the informant's wife and son.

4. Learned counsel for the petitioners submits that both the parties are co-villagers and there is counter version of the case also lodged by the side of the petitioners against the informant and others bearing Hilsa P.S. Case No. 310 of 2024 for an occurrence which has taken place on the same date and time. Learned counsel further submits that the son and wife of the informant has received simple injury as would be evident from the injury report annexed at Annexures: P-3 & P- 3/1 Series. The petitioners have been made accused due to political rivalry also inasmuch as the petitioner no. 2 / Laxmi Paswan contested election of ward member and won the same for the second time.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submits that the genesis of the occurrence is that the petitioners along with other accused persons used to tease and misbehave with the daughter of the informant and upon protest they assaulted the



informant and his family members. The informant has sustained grievous injury.

6. Regard being had to the submission made by the parties, taking into consideration the fact that both the parties are co-villagers, there is case and counter case, injuries caused to the informant’s wife and son are simple in nature and the injury caused to the informant is not attributable to the petitioners, as such, I am inclined to grant anticipatory bail to the petitioners.

7. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, I, Hilsa, Nalanda in connection with Hilsa P.S. Case No. 352 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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