

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86398 of 2024

Arising Out of PS. Case No.-797 Year-2024 Thana- PHULWARISHARIF District- Patna

1. Dablu Kumar @ Dablu Paswan Son of Pawan Paswan R/O-144, Jai Hind Colony, Road No 01, New Ranipur, PS- Phulwarishariff District -Patna
2. Akash Paswan @ Akash Kumar Son of Pawan Paswan R/O-144, Jai Hind Colony, Road No 01, New Ranipur, PS- Phulwarishariff District -Patna
3. Sandeep Paswan @ Sandeep Kumar Son of Pawan Paswan R/O-144, Jai Hind Colony, Road No 01, New Ranipur, PS- Phulwarishariff District -Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Madhukar Anand, Advocate
For the Informant	:	Mr. Anil Singh, Advocate
For the State	:	Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 11-07-2025 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in a case in connection with Phulwarishariff P.S. Case No. 797 of 2024 dated 08.06.2024, registered for the offences punishable under Sections 307, 302, 379, 504 read with Section 34 and 120B of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution case, on 08.06.2024 at about 11:00 AM, the family of informant had gathered for mediation to a mutual dispute in a garden adjacent to the house of the informant and in the meantime, co-accused Sunil Paswan made



scuffle there and hurled abuses; co-accused Sihanta Devi @ Rani Devi brought fire-arms from the house and handed them over to her two sons Aman Paswan and Sunny Paswan and ordered to shoot the deceased on which they fired on Abhishek Paswan and Mangaru Paswan. The bullet hit Mangaru Paswan, who was also shot by co-accused Vishal Paswan and Vikas Paswan on the order of their father, the co-accused Nokha Paswan. Mangaru Paswan died on spot. It is further alleged that co-accused Pawan Paswan had taken Rs. 15 lakhs in the name of stopping an auction and he was not repaying that amount to the informant's family.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in the present case merely on the basis of suspicion. It is submitted that there is no specific allegation of any assault or overt act against the petitioners. There is general and omnibus allegation against the petitioners. As per FIR, it is evident that the specific allegation of firing is against co-accused persons namely, Aman, Sunny, Vishal and Vikash and the present petitioners were not even present at the place of occurrence. Nothing incriminating has been recovered from the possession of these petitioners. The other co-accused persons have already been granted anticipatory bail by a co-ordinate Bench of this Court *vide* order dated 25.10.2024 passed in Cr. Misc. No. 68347 of 2024. The petitioners have clean



antecedent as mentioned in paragraph no. 3 of the bail application.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances as well as the nature of allegation against the petitioners, let the petitioners named-above, in the event of their arrest / surrender before the learned Court below within a period of six weeks from today, be enlarged on anticipatory 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 learned Additional Chief Judicial Magistrate-XIV, in connection with **Phulwarishariff P.S. Case No. 797 of 2024**, subject to conditions as laid down under Section 482(2) of the BNSS.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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