

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26700 of 2019

Arising Out of PS. Case No.-139 Year-2018 Thana- CHAUSA District- Madhepura

1. Raj Kishore Paswan Son of Nageshwar Paswan Resident of Village and P.S.- Chausa, District- Madhepura.
2. Subodh Paswan Son of Bindeshwari Paswan Resident of Village and P.S.- Chausa, District- Madhepura.
3. Ajay Paswan Son of Bindheshwari Paswan Resident of Village and P.S.- Chausa, District- Madhepura.
4. Upendra Patve Son of Late Mangan Patve Resident of Village and P.S.- Chausa, District- Madhepura.
5. Kunal Paswan Son of Raj Kishor Paswan Resident of Village and P.S.- Chausa, District- Madhepura.
6. Kundan @ Bhushan Paswan Son of Raj Kishor Paswan Resident of Village and P.S.- Chausa, District- Madhepura.
7. Bambam Paswan Son of Subodh Paswan Resident of Village and P.S.- Chausa, District- Madhepura.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Kumar Vishoka Nand
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 30-04-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 341, 323, 307, 379, 504 & 506/34 of the Indian Penal Code.

Petitioners are said to have assaulted the informant on his head by means of lathi and petitioner Raj Kishore Paswan along with other accused persons are said to have



snatched Rs.4,00,000.00 from the possession of the informant.

Learned counsel for the petitioners submitted that no such occurrence as alleged ever took place. The petitioners are quite innocent and have been falsely implicated in this case due to animosity. Petitioner Raj Kishore Paswan is the owner of the shop located at the place of occurrence, as mentioned in the F.I.R. itself, and was sitting in the shop and dealing with the customers at that time. This petitioner has no complicity in the aforesaid occurrence. He has no concern with the other accused persons. The injury sustained by the informant is simple in nature. Petitioners have been falsely implicated in this case by the informant due to misunderstanding. Learning the actual state of fact that when he had gone to market for purchasing some articles parking his bike on the road some miscreants took out the money from the dicky of the bike, the informant compromised the matter with the petitioners. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned 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 the Sub-divisional Judicial Magistrate, Udakishunganj, Madhepura in connection with Chousa P.S. Case No. 139 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J.)

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