

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31123 of 2015

Arising out of PS.Case No. -210 Year- 2014 Thana -SULTANGANJ District- BHAGALPUR

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1. Ganesh Paswan, S/o Late Mahendra Paswan.
2. Aditya Raj @ Aditya Rai @ Bhela, S/o Naresh Paswan. Both residents of
village - Maheshi, P.S. Sultanganj, District – Bhagalpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Bipin Kumar, Advocate.

For the Opposite Party : Mr. Parmanand Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-07-2015 The petitioners are apprehending their arrest in

connection with Sultanganj P.S. Case No. 210 of 2014 for the

offences instituted under Sections 341, 323, 379 and 307/34 of the

IPC.

Heard learned counsel for the petitioner and learned
counsel for the State.

The prosecution story, in brief, is that the accused
persons including the petitioners indulged into abuse and assault
when the mother of the informant went to make complaint
regarding tying of cow on the road. The further allegation is that
on the order of accused Naresh Paswan, Aditya Raj @ Bhelo
assaulted mother of the informant with iron rod on her leg on
which she fell down and started weeping then the informant came
to save her then he was also assaulted by accused Naresh Paswan

with iron rod on his head. The further allegation is that the accused Naresh Paswan committed theft of Rs. 500/- cash from the pocket of the informant and ornaments from her mother. It is alleged that other accused persons also assaulted with Lathi, Danda etc.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. It is a case and counter case. Counter case is annexure-2 to the present application. It is further submitted that the injury has been sustained on the accused side which has not been explained by the prosecution which casts serious doubt upon the prosecution case.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Sultanganj P.S. Case No. 210 of 2014 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)