

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49859 of 2014

Arising Out of PS.Case No. -130 Year- 2014 Thana -KURTHA District- JEHANABAD

- =====
1. Chhathu Paswan son of Late Jhansi Paswan
 2. Pundeo Paswan son of Ram Dayal Paswan
 3. Anandi Paswan son of Midani Paswan
 4. Rajan Paswan son of Ram Dayal Paswan All residents of Village - Kamariya, P.S. Kurtha, Distt. - Arwal.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh

For the Opposite Party/s : Mr. A.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-04-2015 Heard learned counsel for the petitioners as well as learned counsel for the State.

In this application for anticipatory bail the petitioners apprehend their arrest for the offences punishable under sections 147, 341, 323, 307 and 504 of the I.P.C.

Allegedly, when the informant was going to his house by cycle some wood has fallen down for which the petitioners along with other co-accused started abusing and on protest all of them assaulted with lathi and brick batting causing injury on his head and when wife of the informant came to rescue she was also assaulted by lathi and danda.

Submission is of false implication and that there was

free fighting between both the parties. There is omnibus allegation. Chhathu Paswan has become injured and was admitted in Sadar Hospital, Jehanabad and on his fardbeyan Kurtha P.S. Case No. 141 of 2014 has been registered under section 307 and other allied sections of the I.P.C and to save his skin from the case the informant has filed this case with false and frivolous story. No offence under section 307 I.P.C. is made out and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail.

As there is case and counter case and there was free fight between the parties and both sides have received injury and the allegations are general and omnibus in nature and as such the petitioners in case of their arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Jehanabad in Kurtha P.S. Case No. 130 of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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