

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44930 of 2015

Arising Out of PS.Case No. -17 Year- 2015 Thana -MAIN P.S. District- GAYA

- =====
1. Maksudan Paswan S/o Deepu Paswn
 2. Dhanesh Paswan S/o Deepu Paswan
 3. Chandan Paswan @ Chandan Kumar S/o Maksudan Paswan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Pramod Kr.Panday(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 02-11-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 326, 307, 364, 504 and 506/34 of the Indian Penal Code.

It is alleged that petitioner no.1 Maksudan Paswan abused the informant and assaulted on his head with iron rod when her daughters namely, Sushila Kumari, Nitu Kumar and wife namely Malti Devi came to rescue, they were also assaulted by the accused persons.

It is submitted by learned counsel for the petitioners that except one injury other injuries have been found to be simple in nature and accusation of assault is omnibus and general against petitioner nos. 2 (Dhanesh Paswan) and 3 (Chandan Paswan @ Chandan Kumar).

However, learned counsel for the informant submits that accusation of assault is specific against all the petitioners.

Considering the accusation being specific against petitioner no.1, this court is not inclined to grant anticipatory bail to him. Let the learned Court below consider the prayer for regular bail of the petitioner no.1, if he surrenders within a period of six weeks in connection with Main P.S. Case No.17 of 2015, pending before the learned CJM, Gaya.

With the above observation, this application is with respect to petitioner no.1, accordingly, disposed off.

So far as petitioner nos. 2 and 3 are concerned since there is no specific accusation against them, let them be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned

CJM, Gaya in connection with Main P.S. Case No.17 of 2015,
subject to the conditions as laid down under Section 438(2)
Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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