

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42996 of 2015

Arising Out of PS.Case No. -43 Year- 2015 Thana -BISHWAMBHARPUR District- GOPALGANJ

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1. Shakti Kumar Paswan Son of Harendra Paswan @ Harendra Manjhi
 2. Harendra Paswan @ Harendra Manjhi son of late Sheochan Manjhi
 3. Satyendra Paswan @ Gena sons of Subhag Manjhi
 4. Upendra Paswan son of Chokat Manjhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Gulnar Begum(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 14-10-2015 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, 307, 379, 384, 504/511/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that on 28.06.2015 the health cards of the villagers were being prepared in the house of petitioner no.2 Harendra Paswan @ Harendra Manjhi where the informant went and requested for preparing health card and on instruction by the concerned employee called her husband also when petitioner no.1 Shakti Kumar Paswan demanded Rs.50/- for preparing the health card. On protest being made by husband of

the informant petitioner no.1 Shakti Kumar Paswan abused him whereas all the petitioners assaulted him with fists and kicks. It is also alleged that petitioner no.1 resorted to fire on the husband of the informant but it did not hit him and thereafter all the petitioners made 3-4 rounds of firing. It is also alleged against petitioner no.1 that he snatched gold chain from the neck of the informant.

It is submitted by learned counsel for the petitioners that maliciously the accusation has been levelled since the informant's side caused fracture injury to the parents of the petitioner nos. 1 and 4 leading to registration of Bishambharpur P.S. Case No.42 of 2015 at earlier point of time from the petitioners' side. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the case lodged by the petitioners at earlier point of time wherein petitioners' side have received grievous injury, let the above named petitioners 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 Judicial Magistrate, 1st Class, Gopalganj in connection with

Bishambharpur P.S. Case No.43 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

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(Dinesh Kumar Singh, J)