

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42837 of 2015

Arising Out of PS.Case No. -68 Year- 2012 Thana -DUMRA District- SITAMARHI

1. Pawan Paswan Son of Vinay Paswan,
2. Rama Paswan, Son of Suraj Paswan,
3. Indal Paswan, Son of Mahendra Paswan, All the resident of village -
Garhiya tola, P.S. - Dumra, District - Sitamarhi (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-10-2015

Heard learned counsel for the petitioners and the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 354, 379, 307, 427 of the Indian Penal Code.

The prosecution case is that the victim girl came to the house of the informant and requested the father of the informant to save her since she is being chased by two boys, who are trying to outrage her modesty. In the meantime co-accused Pappu Paswan and Munna Paswan arrived, who were scolded by the father of the informant thereafter they went back but came again along with 20-25 persons to the house of the informant and on the order of Pappu Paswan co-accused persons assaulted the

informant and his father. The accused persons also snatched mobile and gold chain from the father of the informant.

It is submitted by the learned counsel for the petitioners that on conclusion of investigation Final Form was submitted under Sections 147, 148, 149, 341, 323, 354, 308 of the Indian Penal Code. Differing with the same cognizance has been taken under Sections 147, 148, 149, 341, 323, 354, 379, 427 of the Indian Penal Code. The learned Sessions Judge has failed to appreciate that the thrust of accusation is against Pappu Paswan and Munna Paswan. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

The aforesaid facts constitute ground for consideration of prayer for regular bail of the above named petitioners, if they surrender before the learned court below within a period of six weeks from today in connection with Dumra P.S. Case No. 68 of 2012, pending in the court of learned Chief Judicial Magistrate, Sitamarhi.

With this observation this application is disposed of.

(Dinesh Kumar Singh, J)

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