

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27454 of 2014

Arising Out of PS.Case No. -91 Year- 2013 Thana -SAHKUND District- BHAGALPUR

Lalan Paswan, Son of Nageshwar Paswan, Resident of Village-Khulni, P.S. Shahkund, District-Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-01-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner, apprehending his arrest in connection with Sahkund P. S. Case No. 91 of 2013 registered for the offences punishable under Sections 447, 341. 324, 328, 325, 307, 504/34 of the Indian Penal Code, seeks the privilege of pre-arrest bail.

Allegedly for dispute between children, co-accused Nageshwar Paswan started abusing the informant and thereafter, co-accused Nageshwar Paswan and the petitioner went at the door of the informant, abused and caught hold the informant and co-accused Nageshwar Paswan gave Hasua blow twice on his head and when Jahri Devi came for rescue, the petitioner assaulted her

with Lathi causing fracture of her right hand and Nageshwar Paswan again gave Hasua blow on the chest of the informant.

Submission is that against the petitioner, there is no allegation for causing Hasua blow, rather the only allegation is that he caught hold the informant and thereafter, he assaulted Jahari Devi causing fracture of her right hand. No offence, under Section 307 of the Indian Penal Code is made out against the petitioner to which the learned A.P.P. does not oppose.

In the facts and circumstances stated above and considering the allegation attributed against the petitioner, the petitioner, above-named, is directed to be released on anticipatory bail in the event of his arrest or surrender within one month from the date of receipt/production of a copy of this order on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Shahkund P.S. Case No. 91 of 2013 subject to the condition as laid down under Section 438(2) Cr. P.C.

(Jitendra Mohan Sharma, J.)

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