

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55472 of 2015

Arising Out of PS.Case No. -153 Year- 2015 Thana -BHAGWANPUR District- BEGUSARAI

- =====
1. Om Prakash Paswan son of Baso Paswan,
 2. Sushil Paswan, son of Baso Paswan
 3. Mahendra Thakur, Son of Late Jageshwar Thakur, All r/o village- Harichak, P.S.- Bhagwanpur, District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Smt. Anita Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-12-2015 Heard learned counsels for the petitioner and the State.

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

On protest being made for storing wood on the land of the informant, the accused persons assaulted the informant and when the wife of the informant came to rescue then she was also assaulted and thereafter children of the informant were also assaulted.

It is submitted by learned counsel for the petitioners that in the background of land dispute, the accusation has been levelled. The accusation of assault is omnibus and general and the

material on record does not suggest that any grievous injury was caused to the informant's side. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on provisional anticipatory bail for three months, 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 J.M., 1st Class, Begusarai in connection with Bhagwanpur P.S. Case No. 153 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below verify from the records and if it is found that the informant's side has not received any grievous injury then the provisional bail of the petitioners will be confirmed by learned court below but if it is found that the informant's side received grievous injury then the petitioners will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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