

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19492 of 2016

Arising Out of PS.Case No. -50 Year- 2016 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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1. Munna Paswan Son of late Paras Paswan
2. Raj Kumar Paswan son of late Paras Pawan.
3. Suman Paswan Son of late Paras Paswan.
4. Durgawati Devi Wife of late Paras Paswan All residents of Village Rai
Sidha, PS Muffasil, District East Champaran at Motihari

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Binay Kumar, Advocate

For the Stateb : Mr. Ajit Kumar (APP)

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 26-05-2016 Heard learned counsel for the petitioner and the State.

Petitioners apprehend their arrest in a case registered for the
offences punishable under sections 341, 323, 448, 324, 307, 379
and 504/34 of the Indian Penal Code.

It is contended on behalf of the petitioners that a First
Information Report was lodged earlier by the petitioners' side on
the same date, thereafter, as a counter blast, this case has been
filed. It is further contended that there is allegation that on
10.02.2016 petitioner no. 1 assaulted Savitri Devi by farsa due to
which she had received injury by sharp-cutting weapon, however,
the injury report of Savitri Devi shows that the injury upon her
head is caused by hard and blunt substance and is simple in nature.
Similarly, injury upon the informant is also simple in nature and



abrasion caused by hard and blunt substance. It is urged that petitioner no. 1 Munna Paswan has also sustained injuries, two of which are simple in nature, whereas injury no. 3 is grievous in nature. Learned counsel for the petitioners submits that though there is allegation that petitioner no. 1 Munna Paswan assaulted the informant by farsa but he received injury upon the finger of his right hand and the injury report shows that the same is simple in nature caused by hard and blunt substance, which falsifies the nature of the allegation made in the First Information Report. The petitioners claim to have clean antecedent.

Having regard to the facts and circumstances of the case, let the abovenamed petitioners, namely, Munna Paswan, Raj Kumar Paswan, Suman Paswan and Durgawati Devi, be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Muffasil Police Station Case No. 50/2016 on furnishing bail bonds of Rs.10,000/- (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran, subject to the conditions laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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