

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2357 of 2016

Arising Out of PS.Case No. -376 Year- 2015 Thana -WAJIRGANJ District- GAYA

Lachchu Paswan S/o Bhunna Paswan Residents of Village- Parsawan,
Police Station- Wazirganj, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma

For the Opposite Party/s : Mr. Dr. Ajit Kumar(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 03-03-2016 Heard learned counsel, appearing on behalf of the

petitioner, and the learned Addl. Public Prosecutor, appearing on

behalf of the State.

This application for grant of anticipatory bail arises out of
Wazirganj P.S. Case No. 376/2015, disclosing offences under
sections 147, 148, 149, 341, 323, 324, 307 and 302 of the Indian
penal Code.

Learned counsel for the petitioner submits that even if the
case of the prosecution, as narrated by the informant in his written
report, is accepted to be correct, no offence under section 302 of
the Indian Penal Code is made out against the petitioner, inasmuch
as there is allegation of causing assault on the deceased by co-
accused Nagendra Paswan and Dinesh Paswan. He submits that it
is vaguely alleged against this petitioner and few others that they

assaulted the informant. He submits that there is no allegation against the petitioner even as to manner in which he caused assault, if any. The petitioner is said to be having no criminal antecedent, as stated in paragraph 3 of the application.

In view of the submissions as above, this application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya in connection with Wazirganj P.S.Case No. 376/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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