

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17987 of 2016

Arising Out of PS.Case No. -147 Year- 2014 Thana -SONO District- JAMUI

1. Karu Paswan, son of Pairu Paswan, resident of Teliyadah P.S. Sono, District Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-05-2016 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sono P. S. Case No. 147 of 2014 registered for offence punishable under Section 341, 323, 324, 325, 337, 338, 504 and 34 of the Indian Penal Code.

The prosecution case as lodged by the informant, Sabita Devi on 29.08. 2014 at 6.A.M. is that when she was going towards north of her house in Bahiyar for grazing animals, in the meantime, all the accused persons including the petitioner abused her and caused obstruction .On protest, Karu Paswan (petitioner) gave tangi blow on her head and Degan Pawan assaulted her by means of lathi, causing injury on her right pakhura, back and



below her right eye. Chameli Devi and Kabutri Devi and Manoj Paswan pelted stones and she sustained hurt. After raising alarm, her daughter Radhika Devi came to save, Manoj Paswan and Kamli Devi assaulted on her head, left hand and leg. On her cry near by people came and accused persons fled away. The reason for occurrence is that on 27.08.2014 at 1.30 Degan and Karu Paswan (petitioner) threatened to kill and told that why she made complaint against his family members.

It has been submitted by the learned counsel for the petitioner that he is innocent and both parties are Gotiya and there is land dispute between the parties. It has further been submitted that the petitioner has clean antecedent as is evident from para-3 of this petition and Section 324 of the I.P.C. is super addition. It has further been submitted that the injury being singular on the person of the informant, has been found in X-ray to be simple in nature.

However, learned A.P.P. for the State submits that the petitioner is named in the F.I.R., hence, opposes the prayer for bail.

Be that as it may, let the above named petitioner in the event of his arrest or surrender before the Court below within a period of eight weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) with two sureties of

the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jamui in connection with Sono P.S.Case No. 147 of 2014, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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