

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.29419 of 2016**

Arising Out of PS.Case No. -33 Year- 2016 Thana -DIHRINAGAR District- SASARAM  
(ROHTAS)

- =====
1. Bajrangi Paswan, son of Hare Lal Paswan.
  2. Bhola Paswan, son of Shiv Narayan Paswan. Both are residents of Village- Badihan, P.S.- Dehri (Indrapuri), District- Rohtas.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. M.Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
**ORAL ORDER**

2      05-09-2016                      Heard learned counsel for the petitioners and Mr.  
Dayal APP for the State.

The two petitioners herein are cited accuseds of  
Dehri ( Indrapuri) P.S. case no. 33 of 2016, registered under  
Sections 307, 379 and 387 of the IPC.

The allegation is that while the informant was on the  
land purchased by them the accused persons came on the place of  
occurrence and co accused Shambhu Paswan demanded ransom  
for use of the purchased land. It is further alleged that petitioner  
no.1 Bajrangi Pasawan exhorted to assault whereafter petitioner  
no.2 Bhola Paswan assaulted the cousin of the informant on the  
head.



It is submitted that 04 days after the occurrence the FIR has been lodged. In relation to the said occurrence an FIR (Annexure-3) was lodged against the present prosecution side under Section 307 of the IPC as well as SC/ST Act. The victim was not treated in Government hospital. Crossing several hospital he was taken to Varanasi to a private hospital wherefrom the injury report was obtained (Annexure-2) wherein lacerated wound 5” in length on the occipital region was found. The land dispute is indisputably the bone of contention. The petitioners have no criminal antecedents. There are two accuseds in the name of Bhola Paswan. Who actually assaulted on head is not clear from the FIR. Another co-accused of this case, namely, Bala Paswan who is said to have assaulted Kanhaiya Prasad Soni by axe has been granted the privilege of anticipatory bail vide order dated 30.8.2016 passed in Cr. Misc. no. 29573 of 2016.

Considering the facts and circumstances of the case, I direct the petitioners, named above, in the event of their arrest/surrender before the learned Court below within a period of four weeks from today, to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Dehri District Rohtas, in connection with Dehri (Indrapuri)P.S. case no.

33 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioners.
- (ii) As soon as the charges are framed the petitioners shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioners and secure their arrest in accordance with law.

**(Kishore Kumar Mandal, J)**

Shyam/-

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