

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45659 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -MANIYARI District- MUZAFFARPUR

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1. Mahesh Paswan Son of Late Lakhindra Paswan
2. Ramlal Paswan Son of Late Sathu Paswan Both resident of Village-
Mahanth Maniyari, P.S.- Maniyari, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 21-12-2016 Heard both sides.

The petitioners apprehend their arrest in Maniyari P.S.
Case No. 46/2016, registered for the offences punishable under
Section 307 and other sections of the Indian Penal Code.

Mahesh Paswan petitioner no. 1 is alleged to have
assaulted the informant Anil Paswan with sickle which hit on his
head. Ramlal Paswan and Sukhan Paswan are alleged to have torn
the undergarments of the mother of the informant.

It is submitted that Munni Devi lodged Maniyari P.S.
Case No. 52/2016, as the father of Anil Paswan wanted to outrage
the modesty of the wife of Sanjay Paswan. There is free fight
between the two sides and that is why there is case and counter



case, but it appears from perusal of injury report that on account of assault made by Mahesh Paswan petitioner no. 1, the informant got injury on his head which is opined to be dangerous to life. No specific allegation is made against Ramlal Paswan petitioner no. 2.

Considering the facts aforesaid, I am not inclined to enlarge petitioner no. 1 Mahesh Paswan on anticipatory bail. Accordingly, the same is rejected.

So far as the case of Ramlal Paswan petitioner no. 2 is concerned, there is case and counter case and no specific allegation of assault is made against petitioner no. 2.

Considering the facts aforesaid, Ramlal Paswan petitioner no. 2, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate Ist Class, East Muzaffarpur in connection with Maniyari P.S. Case No. 46/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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