

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31664 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -SARE District- NALANDA (BIHARSHARIFF)

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Shivalak Paswan @ Shivbalak Paswan Son of Late Bajir Paswan, Resident
of Village- Hargawan P.S. Sare District Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sudish Kumar, Advocate
For the State : Dr.Mrityunjaya Kr.Gautam, APP
For the Informant : Mr. Raj Kishore Jha, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 02-09-2016 I have heard learned counsel for the petitioner, the State
and the informant.

The petitioner apprehends his arrest in a case registered
for offences punishable under Sections 341, 323, 325, 307, 504
and 506/34 of the Indian Penal Code and 27 of the Arms Act.

It is contended on behalf of the petitioner that on
trivial issue of removing “*Chapakal*”, the altercation has taken
place. There is a case and counter case. It is submitted that
allegation of assault upon the informant and other is general and
omnibus against three persons including the petitioner. One of
them being Radha Devi has already been granted privilege of
anticipatory bail by a coordinate Bench of this Court vide order

dated 1.9.2016 passed in Cr. Misc. No. 34424/2016.

Learned counsel for the informant has submitted that two injuries are grievous in nature. However, it is urged on behalf of informant that he has not been able to demonstrate that there is specific allegation of assault by this petitioner upon a particular person.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Shivalak Paswan @ Shivbalak Paswan be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Sare P.S. Case No. 46 of 2016, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda at Biharsharif subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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