

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38115 of 2016**

Arising Out of PS.Case No. -8 Year- 2016 Thana -KHUSRUPUR District- PATNA

1. Ganga Paswan  
2. Jhamak Paswan @ Shiv Kumar Paswan  
Both sons of Mangal Paswan, Resident of Village- Tilhar, P.S.  
Khusrupur, District- Patna.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Md. Naushad

For the Opposite Party/s : Mr. A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2 09-09-2016

Heard Mr. Md. Naushad, learned counsel for the  
petitioners and learned Addl. Public Prosecutor.

Two petitioners, apprehending their arrest in  
Khusrupur P.S. Case No.08/2016 registered for the offence under  
Sections 341/323/325/307/379 and 506/34 of the Indian Penal  
Code, have prayed for grant of bail, in the event of their arrest or  
surrender.

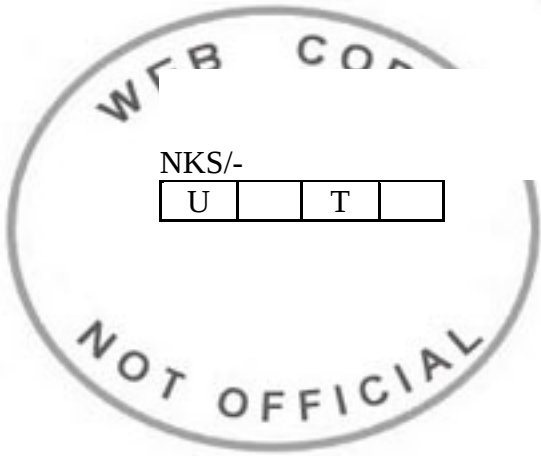
It was submitted by learned counsel for the  
petitioners that there was case and counter case in between the  
parties. From the petitioners side, sister-in-law of the petitioners  
had lodged an F.I.R. vide Khusrupur P.S. Case No. 09/2016  
registered for the offence under Sections 341/323/325/506/34 of



the Indian Penal Code against informant and others. He further submits that on trivial dispute, some occurrence had taken place, on which both sides have lodged F.I.R.. By way of referring to the facts disclosed in the F.I.R. it was submitted that it was not a case of offence under Sections 325, 307 and 379 of the Indian Penal Code. He submits that all other offences are bailable. By way of referring to injury report, he submits that the injury report suggests that all injuries were simple in nature caused by hard and blunt substance. He submits that the allegation of commission of offence under Section 379 of the Indian Penal Code has been exaggerated.

Keeping in view the nature of accusation and the fact that there was case and counter case in between the parties, the Court is of the opinion that it is a fit case for extending the privilege of anticipatory bail to the petitioners. Accordingly, let aforesaid two petitioners, namely, (i) Ganga Paswan and (ii) Jhamak Paswan @ Shiv Kumar Paswan, in the event of their arrest or surrender within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri A.K.Rai, learned Judicial Magistrate, 1<sup>st</sup> Class, Patna City in connection with Khusrupur P.S. Case No.08/2016, subject to conditions as

laid down in Section 438(2) of the Code of Criminal Procedure.



NKS/-

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**(Rakesh Kumar, J)**