

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41092 of 2016

Arising Out of PS.Case No. -65 Year- 2016 Thana -ASHTHWAN District-
NALANDA (BIHARSHARIFF)

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1. Uttam Chandra Paswan, S/o Ramautar Paswan.
 2. Kosum Devi @ Murti Devi, W/o Uttam Chandra Paswan.
- Both are residents of Village- Katahari, Police Station-
Asthawan, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Premchandra Yadav

For the Opposite Party/s : Mr. Matloob Rab

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 27-09-2016 Heard the parties.

This application, for grant of anticipatory bail, arises out of Asthawan P.S. Case No. 65 of 2016, disclosing offences under Sections 341, 323, 324, 326, 307 and 379 read with Section 34 of the Indian Penal Code.

Petitioner No. 1 is the father of co-accused, namely, Dharampal Paswan, whereas petitioner No. 2 is her mother. Petitioner No. 1 is the full brother of the informant.



It is alleged that the co-accused, namely, Dharampal Paswan, asked the informant as to whether he had cast vote in favour of his mother (petitioner No. 2) in *Panchayat* election, or not. When the informant did not disclose, allegedly, the said co-accused, Dharampal Paswan, assaulted the informant with *Hasuli* (sickle), causing injuries. It is alleged against petitioner No. 1 that he snatched jewelry from the informant.

Learned counsel for the petitioners has submitted that lodging of the First Information Report is apparently result of admitted enmity between the informant and the petitioners.

Considering the nature of allegation and the background in which the First Information Report has been lodged, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Nalanda at Biharsharif**, in connection with **Asthawan P.S. Case No. 65 of 2016**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the

petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-c

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