

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.168 of 2016

Arising Out of PS.Case No. -379 Year- 2015 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

- =====
1. Bhasho Paswan Son of Ram Nandan Paswan
 2. Bipin Paswan
 3. Biran Paswan, son of Ram Prit Paswan

All are resident of village- Bar Bigha, P.S.- Vena, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha, Advocate

For the Opposite Party/s : Mr. Md.Arif (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-01-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 341, 323, 354B, 380, 307, 448, 504, 506 of the Indian Penal Code.

The prosecution case is that the accused persons including the petitioners came and started abusing the wife of the younger brother of the informant. On protest being made, co-accused Bijali Paswan and petitioner no.3, Biran Paswan pushed down the Hira Devi, wife of the

informant's younger brother and made her naked and assaulted with fists and slaps. When informant tried to rescue then he was also being assaulted. It is alleged against petitioner no. 2, Bipin Paswan that he snatched ear ring from Hira Devi.

It is submitted by the learned counsel for the petitioners that accusation of assault has not been levelled against petitioner no. 1 and 2. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Let the learned court below consider the prayer for regular bail of the petitioner no. 3 namely Biran Paswan, who alleged to have made assault to Hira Devi, if he surrenders before the learned court below within a period of six weeks from today in connection with Rahui P.S. Case No. 379 of 2015, pending in the court of learned Chief Judicial Magistrate, Nalanda, Bihar Sharif.

So far as petitioner nos. 1 and 2 are concerned, since accusation of assault is not against them, let the above named petitioner nos. 1 and 2 be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda in connection with Rahui P.S.

Case No. 379 of 2015, subject to conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.



(Dinesh Kumar Singh, J)