

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8911 of 2016

Arising Out of PS.Case No. -52 Year- 2015 Thana -MORE District- DARBHANGA

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1. Vijay Paswan Son of Tapeswar Paswan
 2. Ram Ratan Paswan Son of Tapeswar Paswan
 3. Kailash Paswan Son of Tapeswar Paswan
 4. Kusheshwar Paswan Son of Tapeswar Paswan
 5. Sudhir Paswan Son of Kirpal Paswan
 6. Deepak Paswan @ Deepak Kr. Paswan Son of Raj Rajil Paswan
 7. Amresh Paswan @Amresh Kr. Paswan Son of Kusheshwar Paswan
 8. Ramesh Paswan Son of Kailash Paswan All Resident of village - Hussainabad, Police Station Moro, District - Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2016 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 307, 353, 379, 223 and 224 of the Indian Penal Code.

The prosecution case as per the informant being the ASI of Moro police station is that on 24.10.2015 at 2 PM, the informant along with the reserve guard was on duty on the eve of Moharram procession when on the way one Pinki Kumari was teased by petitioner no.8 Ramesh Paswan for which villagers also made protest. Subsequently Ramesh Paswan was arrested by the

informant and when other accused persons including the petitioners and unknown abused and assaulted the police personnel and got Ramesh Paswan released. It is further alleged petitioner no.3, Kailash Paswan snatched the rifle of the police when wife of petitioner no.3, Sumni Devi assaulted with brick causing injury on the hand of the informant.

It is submitted by learned counsel for the petitioners that accusation is against the mob. The injury reports of the informant and others suggest one superficial and aberration each. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that thrust of accusation is against petitioner no.8, Ramesh Paswan, this Court is not inclined to grant anticipatory bail to him.

Let the learned court below consider the prayer for regular bail of petitioner no.8 if he surrenders within a period of six weeks.

So far as petitioner nos. 1 to 7 are concerned, since the accusation against them is not being corroborated by the medical opinion, let them be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten

thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Darbhanga in connection with Moro P.S. Case No. 52 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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