

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6577 of 2016

Arising Out of PS.Case No. -133 Year- 2015 Thana -KEOTI District- DARBHANGA

- =====
1. Chhedi Paswan Son of Late Rameshwar Paswan,
 2. Bharat Paswan, Son of Kant Kumar Paswan, Both are resident of village - Manjhigama, Police Station - Keoti, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

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

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2016

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 307, 504, 506 of the Indian Penal Code.

The prosecution case is that eleven accused persons including the petitioners came to the house of the informant and started abusing. On protest being made, on the order of co-accused Shivchandra Paswan, petitioner No.1 Chhedi Paswan assaulted with farsa on the head of the informant. On alarm being raised when the sons of the informant Manoj Paswan and Subodh Paswan came to rescue then they were also assaulted by the accused persons.

It is submitted by learned counsel for the petitioners that petitioners' side at earlier point of time lodged a case against the informant and after deposing in the said case when the informant was returning, protest was made and the

present case has been lodged. It is further submitted that accusation of assault against the petitioner No. 1 is to have assaulted with farsa on the head but the injury of the informant has been found to be injury on right frontal region of marginal size caused by hard and blunt substance, simple in nature. The injuries of the sons of the informant have also been found to be simple in nature though one injury of the one of the sons of the informant has been found to be grievous when the accusation of assault to the sons of the informant is omnibus and general against the accused persons.

Considering the accusation being omnibus and general and the specific accusation of assault by farsa against petitioner No. 1 has not been corroborated with the medical opinion, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Darbhanga in connection with Keoti P.S. Case No. 133 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Shageer/-

U		T	
---	--	---	--