

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20540 of 2016

Arising Out of PS.Case No. -33 Year- 2016 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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1. Mahabir Paswan son of Bhikhari Paswan
2. Hira Lal Paswan son of Bhikhari Paswan
3. Hare Lal Paswan @ Heralal Paswan son of Late Muni Paswan
4. Dineshwar Paswan @ Digeshwar Paswan, son of Sheonarayan Paswan
All resident of village- Badihan, P.S.- Indrapuri, Distt.- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. Rajesh Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 13-05-2016

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,307,379,342,387 and 506 of the Indian Penal Code.

The prosecution case is that on 12.1.2016 at 8 AM the informant along with his cousin Ram Niwas Singh, Kanhaiya Prasad Soni and nephew Pramod Kumar went to see his newly purchased land when the FIR named accused persons surrounded the informant and his cousin, co accused Shambhu Paswan abused the brother of the informant and demanded five lacs rupees as extortion to allow to take possession of the land. On protest being



made co accused Parshuram Paswan and Bajrangi Paswan pointed pistol and co accused Shambhu Paswan assaulted with farsa causing injury to Kanhaiya Prasad Soni on head. Co accused Bala Paswan assaulted with axe to Kanhaiya Paswan causing injury on chin and co accused Bhola Paswan assaulted with axe causing injury to Ram Niwas Singh on head. It is alleged that petitioner no. 2 Hiralal Paswan assaulted with farsa to Pramod and thereafter others assaulted the informant side. It is further alleged that petitioner no. 3 Harelal Paswan took out fifteen thousand rupees from the pocket of Kanhaiya Prasad Soni and petitioner no. 4 snatched gold chain.

It is submitted by the learned counsel for the petitioners that the accusation of assault has specifically been alleged against petitioner no. 2 Hiralal Paswan though he has caused injury to Pramod Kumar. Specific accusation of assault has not been alleged against petitioner nos. 1,3 and 4. There is counter version of the occurrence and Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Let the learned court below consider the prayer for regular bail of the petitioner no. 2 Hira Lal Paswan in case he surrenders within six weeks from today in connection with Dehri (Indrapuri) P.S. Case No. 33 of 2016 pending in the court of

learned SDJM, Dehri, Rohtas.

So far as petitioner no. 1 Mahabir Paswan, petitioner no. 3 Hare Lal Paswan alias Hera Lal Paswan and petitioner no.4 Dineshwar Paswan alias Digeshwar Paswan are concerned, let them be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Dehri, Rohtas in connection with the aforementioned case subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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