

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27582 of 2016

Arising Out of PS.Case No. -48 Year- 2016 Thana -LAXMIPUR District- JAMUI

- =====
1. Amrit Paswan son of Late Karu Paswan
 2. Sanjay Paswan son of Amrit Paswan Both are residents of Village - Beldaria (Barnamaunia), P.S. - Lakshmipur, District - Jamui.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ansul, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 26-09-2016

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered under Section 302 and other minor Sections of the Indian Penal Code.

Altogether, 11 persons including petitioners are named in the first information report and it is specific case of the informant that petitioner no.1 gave sword blow causing injury on his leg whereas all the accused including petitioners, having tied the informant's son with electric pole, assaulted him with lathi and iron rod. The statement of the informant goes to show that petitioner no.1 was carrying sword at the time of alleged occurrence but admittedly, the deceased had not sustained any

sword blow and moreover, the informant has, himself, claimed that the deceased was assaulted by lathi and iron rod. The case diary goes to show that the I.O. did not collect any injury report of the informant. So far as petitioner no.2 is concerned, submission on behalf of the petitioners is that the general allegation of assault has been levelled against all the accused persons including the petitioners and petitioners are languishing in jail custody since 25.3.2016 without having any criminal antecedent.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of the fact that the investigation against these petitioners has already been completed, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Jamui in connection with Lakshmipur P.S. Case No.48 of 2016.

(Hemant Kumar Srivastava, J)

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