

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28659 of 2016

Arising Out of PS.Case No. -32 Year- 2016 Thana -SIMRI District- DARBHANGA

- =====
1. Pheku Paswan son of Late Pyare Paswan
2. Makhan Paswan @ Makhan Paswan S/o Both are resident of village-
Sarhwara, Police Station- Simri, District-Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Adv.

For the Opposite Party/s : Mr. B.N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 05-09-2016 Heard both sides.

The petitioners apprehend their arrest in Simri P.S. Case No. 32/2016, registered for the offences punishable under Section 307 and other sections of the Indian Penal Code.

The informant alleged that while he was going to sow seeds in his field the accused persons came and assaulted him and his son. Phekhu Paswan petitioner no. 1 assaulted the informant with spear on his leg, head and thigh. Makhan Paswan petitioner no. 2 is alleged to have snatched mobile and Rs. 2,000/- from the pocket of the informant. Thereafter the accused persons are also alleged to have assaulted family members of the informant and took away different articles.

It is submitted that there is counter version bearing Simri P.S. Case No. 31/2016. There is land dispute between the parties and on account of that this false case has been lodged. The informant got superficial and simple injury. Allegation of theft is also ornamental.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 Chief Judicial Magistrate, Darbhanga in connection with Simri P.S. Case No. 32/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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