

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17994 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -BHAGWANPUR District-  
VAISHALI(HAJIPUR)

1. Narmadeshwar Paswan son of late Sahdeo Paswan, resident of village-  
Bakhara Kurd, Police Station- Bhagwanpur in the District of Vaishali.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL  
ORAL ORDER

2 06-05-2016 Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in connection with  
Bhagwanpur P. S. Case No. 02/2016 registered for offences  
punishable under Sections 323, 324, 307, 379, 354, 34 of the  
Indian Penal Code.

The prosecution case as per the F.I.R./Complaint  
lodged by the informant one Kamli Devi is that the petitioner  
Narmadeshwar Paswan assaulted the informant with iron rod on  
her head, causing head injury with bleeding and other accused  
petitioners also assaulted Ramchandra Paswan ( husband of the  
informant) with lathi, loautha and caused injury and Simanti Devi

pushed down the informant by catching her hair and accused Shiv Chandra Paswan tried to commit rape. It is further alleged that accused Simanti Devi, Rita Devi and Khushboo Devi took away box containing Rs. 10,000/ cash and other articles.

It has been submitted by the learned counsel for the petitioner that there is a case and counter case and both parties belong to the same family. He further submits that there is no criminal antecedent against this petitioner, as is evident from para-3 of this application and the other co-accused have been granted anticipatory bail by the learned court below on the injury report of one Ramchandra Paswan, which has been found to be simple in nature. In so far as in the injury report of the complainant/informant by the petitioner, the said injury has also been found to be simple in nature.

However, learned A.P.P. for the State submits that the petitioner is named in the F.I.R., hence, opposes the prayer for bail.

Be that as it may, since there is a case and counter case between both parties, who are family members, let the above named petitioner in the event of his arrest or surrender before the Court below within a period of eight weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand

only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bhagwanpur P.S.Case No. 02 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Nilu Agrawal, J)**

Sudha/-

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