

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19092 of 2017

Arising Out of PS.Case No. -667 Year- 2015 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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1. Ram Babu Paswan Son of Late Tullu Paswan
 2. Jitendra Paswan son of Ram Babu Paswan
 3. Mitha Paswan Son of Ram Babu Paswan
 4. Sachindra Paswan @ Ravindra Paswan Son of Ram Babu Paswan
 5. Surendra Paswan @ Chinni Paswan Son of Ram Babu Paswan. All residents of Village- Ram Chaura, P.S. Town, District Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Alok Kumar Alok

For the Opposite Party/s : Mr. Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 25-05-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Hajipur Town P.S. Case No. 667 of 2015 for the offences punishable under sections 447, 448, 341, 342, 323, 504, 506, 379, 354 and 307/34 of the I.P.C.

Allegedly, the petitioner no.1 assaulted with farsa to Bahadur Rai on his head and when Dharamnath Paswan came for rescue the petitioner no.2 assaulted him with sword on his head causing cut injury and bleeding and when Lalan Paswan came for rescue he was assaulted by Baban Paswan with garasa resulting cut injury on his head and bleeding and when Shambhu Paswan



came for rescue he was assaulted by petitioner no.5 with farsa on his head and when Jagdish Paswan came for rescue he was assaulted by Rajesh Singh, Surjit Singh and Subhash Nirala and when the wife of the informant came for rescue she was assaulted by petitioner no.4 and he torn her cloth and snatched gold chain and Mangal Sutra and then the villagers came and thereafter the accused persons fled away.

Submission is of false implication and that all the injuries of the injured have been found caused by the hard and blunt substance which are simple in nature except of Lalan Paswan whose injury is caused by sharp cut weapon and for assaulting Lalan Paswan Baban Paswan is responsible who is not the petitioner, due to the land dispute the occurrence has taken place and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners by submitting that the injuries have been found on the vital part of the body.

In the facts and circumstances as stated above, considering the nature of the injuries which are simple in nature, the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/-



(Ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M. Vaishali at Hajipur in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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