

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54510 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -HASANPUR District- SAMASTIPUR

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1. Jiwachh Paswan Son of Hriday Paswan
2. Ram Babu Paswan @ Bidio @ Bidio Paswan Son of Kailu Paswan
Both Residents of Village- Jaganathpur, P.S. Hasanpur, District-
Samastipur(Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mira Kumari

For the Opposite Party/s : Mr. Murlidhar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-11-2017 Heard learned counsel for the petitioners,

learned counsel for the informant and learned APP for the

State.

Petitioners are languishing in judicial custody
since 11.07.2017 in connection with Hasanpur P.S. Case
No. 99 of 2017 for offences punishable under Section 307
and other allied Sections of the Indian Penal Code.

The prosecution case, as lodged by the
informant, is that 13 persons including the petitioners along
with 8-10 unknown persons came outside her house and
started abusing. Thereafter all persons by means of iron rod
assaulted the informant, which caused injury on her head.



It has been submitted by the learned counsel for the petitioners that they are innocent, there was some enmity from one year between the parties and a year back the petitioner's bhabhi was assaulted and humiliated because of being a witch. He submits that there is general and omnibus allegation against all the accused persons and no such occurrence had taken place, as alleged by the informant.

However, learned counsel for the informant opposes the prayer for bail stating therein that all the accused persons including the petitioners have assaulted the informant by means of iron rod.

Learned APP for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged 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 learned Addl. Chief Judicial Magistrate-3rd, Rosera, Samastipur, in connection with Hasanpur P.S. Case No. 99 of 2017, subject to the condition that both the bailors would be a close relative of the



petitioners having sufficient immovable property, who will file an affidavit stating their relationship with the petitioners.

(Nilu Agrawal, J)

Rajesh/-

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