

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53887 of 2017

Arising Out of PS.Case No. -178 Year- 2017 Thana -SURYAGARHA District- LAKHISARAI

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1. Prahlad Paswan
2. Sharad Paswan @ Sharad Kumar Both Sons of Sri Makeshwar Paswan
both are residents of Saidpur, P.S. Surajgarha, District Lakhisarai.
..... Petitioners.

Versus

The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Parmanand Prasad

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

04 12-12-2017 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in Surajgarha P.S. Case No.
178 of 2017 registered under Section 302/34 of the Indian Penal
Code.

As per the prosecution case, petitioners are said to
have fisted the husband of the informant over row of flowing drain
water in their field and accused Makeshr Paswan assaulted him by
means of 'hasua' which proved fatal.

It is submitted by learned counsel for the petitioners
that allegation of assaulting the deceased by means of 'hasua' is
not attributed to the petitioner rather Makeshr Paswan and the
doctor has also found only one injury on the stomach of the
deceased as ante-mortem injury. There is no specific allegation



against the petitioners rather the allegations are general and omnibus in nature. The petitioners have been languishing in custody since 23.09.2017.

In the facts and circumstances of the case, the above named petitioners 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 learned Chief Judicial Magistrate, Lakhisarai in connection with Surajgarha P.S. Case No.178 of 2017.

(Prakash Chandra Jaiswal, J)

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