

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3549 of 2017

Arising Out of PS.Case No. -185 Year- 2016 Thana -BIHARIGANJ District- MADHEPURA

- =====
1. Pawan Paswan Son of late Facho Paswan
 2. Bikram Paswan @ Bikram Kumar Son of Pawan Paswan Both are residents of Village- Babhangama, P.S. - Bihariganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

- 2 06-02-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in Bihariganj P.S. Case No. 185 of 2016 instituted for the offences under Sections 341, 353, 504, 34 of the Indian Penal Code.

The First Information Report has been registered by the Executive Engineer alleging therein that on the date of occurrence, he found some people were erecting house with bamboo on the bank of the canal. When the informant went to remove the encroachment then petitioner no. 1 started quarrelling with the informant and son of petitioner no. 1 started dragging the informant by catching hold the collar of his shirt and started abusing the informant. It is further alleged that Chaukidar Bablu Paswan went there to pacify the



matter.

It has been submitted on behalf of the petitioners that Chaukidar Bablu Paswan has filed a petition supported with an affidavit in the lower court stating therein that no such occurrence has taken place. The said petition has been brought on record as Annexure-2 of the present application.

In such circumstances, since there is general and omnibus allegation against the petitioners and Chaukidar Bablu Paswan has filed a petition in the lower court that no such occurrence has taken place, the prayer of the petitioners for anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Bihariganj P.S. Case No. 185 of 2016, they shall be released on anticipatory 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 Judicial Magistrate, 1st Class, Udakishunganj(Madhepura), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjay Priya, J)

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