

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3902 of 2017

Arising Out of PS.Case No. -344 Year- 2016 Thana -SAUR BAZAR District- SAHARSA

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1. Bhupendra Paswan S/o Ghuran Paswan
2. Sulendra Paswan S/o Ghuran Paswan, Resident of Village- Bakhri, P.S.-
Sour- Bazar, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 16-02-2017 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 Sour Bazar P.S. Case No. 344 of 2016 (G.R. No. 2280/2016) registered for the offences punishable under sections 341/323/379/307/385/506/34 of the Indian Penal Code.

Allegedly the petitioners and other co-accused persons came abusing informant and his family members, which was opposed then petitioner no. 1 assaulted the informant with *Lathi* resulting he fell down and became unconscious and in the meantime, the brother and wife of the informant came and then



petitioner no. 2 gave *Farsa* blow on the brother of the informant causing head injury and co-accused, Tara Devi gave *Dabiya* blow on the wife of the informant causing head injury.

Submission is of false implication. There is case and counter case. Both sides have received injuries. On behalf of the petitioners, complaint case was filed. The injuries found on the brother of the informant, are simple in nature, caused by hard and blunt substance and on the person of the informant, three injuries have been found and all have been caused by hard and blunt substance and the injury Nos. 1 and 3 are grievous and injury No. 2 is simple.

The learned A.P.P. submits that on the vital part, injury has been caused by the petitioner and the informant has received three injuries.

In the facts and circumstances as stated above, considering that brother of the informant has received simple injury caused by hard and blunt substance and as such, petitioner No. 2, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection



with Sour Bazar P.S. Case No. 344 of 2016 (G.R. No. 2280/2016), subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

So far the allegation attributed against petitioner no. 1 is concerned, I am not inclined to grant privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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