

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4662 of 2017

Arising Out of PS.Case No. -153 Year- 2016 Thana -BELDAUR District- KHAGARIA

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1. Wakil Paswan, Son of Sajjan Paswan
 2. Ashok Paswan, Son of Late Raj Kumar Paswan
 3. Raja Kumar, Son of Ashok Paswan
 4. Guddu Paswan, Son of Satyendra Paswan.
 5. Shyamsundar Paswan, Son of Priyabrat Paswan. All are Resident of Village-Bobil Fulwariya, P.S.- Beldaur, District-Khagaria

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Binod Kumar, Advocate
Mr. Arun Kumar Gupta, Advocate
For the Opposite Party : Mr. Gauri Shankar Gupta (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 21-02-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection with Beldaur P.S. Case No. 153 of 2016 (G.R. 2069 of 2016), registered for the offences punishable under Sections 341, 323, 307, 387, 504, 506/34 of the Indian Penal Code.

Allegedly, when the informant and his family members were sitting at his door the petitioners along with co-accused variously armed with *lathi* and country made *katta* came there, abused and threatened to kill them and assaulted to Prakash Ram, Jhano Devi, Kavita Devi and Fudki Devi thereafter the injured were brought to the hospital for treatment. The motive for the occurrence has been assigned that two days before the accused



persons have demanded Rs. 20,000/- from him and on protest they had began to up root his hut and had also assaulted them.

Submission is of false implication and that due to local politics at the instance of their enemies, the petitioners have been implicated, there is no material in the case diary against them, no offence under Section 307 and 387 of the I.P.C. is made out against them and there is omnibus and general allegation and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that the petitioners and other co-accused are causing threats to the informant for withdrawing the case and for that Sanaha has been filed before the S.D.M., Gogri.

In the facts and circumstances as stated above, considering the allegation and further that again the petitioners have caused threats, I am not inclined to grant privilege of pre-arrest to them and accordingly his such prayer stands rejected in connection with Beldaur P.S. Case No. 153 of 2016 (G.R. No. 2069 of 2016), pending in the Court of Sri P.C. Verma, learned Judicial Magistrate 1st Class, Khagaria.

(Jitendra Mohan Sharma, J.)

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