

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8651 of 2017

Arising Out of PS.Case No. -290 Year- 2016 Thana -LALGANJ District- VAISHALI(HAJIPUR)

- =====
1. Mukesh Paswan
 2. Rakesh Paswan @ Rakesh Kumar, Both Sons of Sant Paswan
 3. Sant Paswan @ Santlal Paswan S/o Late Ganesh Paswan.
 4. Modhi Paswan, Both sons of Sant Paswan, All resident of Village-Jafarabad, P.S.- Laiganj, District- Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Arvind Kumar Sinha, Advocate
For the Opposite Party : Mr. Sri Aditya Narayan Singh 1 (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 06-04-2017 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners apprehend their arrest in connection with Lalganj P.S. Case No. 290 of 2016 (G.R. 4804 of 2016), registered for the offences punishable under Sections 341, 323, 324, 307, 427, 504/34 of the Indian Penal Code.

Allegedly, the petitioner no.3 Santlal Paswan started assaulting with lathi to the informant and thereafter other petitioners after surrounding the informant started assaulting and petitioner no.4 Modhi Pawan started assaulting with knife on his head and when the wife of the informant came for rescue she was also assaulted by them. Jaleshwar Pawan assaulted with dabia on



both leg, causing injury and further they uprooted the hut and took away 12 bags of paddy.

Submission is of false implication and that no offence under Section 307 of the Indian Penal Code is made out, no injury has been caused by sharp cut weapon, all the injuries caused by hard and blunt substance, injury no.2 which is on left side of scalp is simple in nature and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering the injury report, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released 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 Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Lalganj P.S. Case No. 290 of 2016 (G.R. 4804 of 2016), subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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