

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.10268 of 2017**

Arising Out of PS.Case No. -28 Year- 2016 Thana -PRANPUR District- KATIHAR

=====

1. Raj Kumar Paswan, Son of Late Ganauri Paswan,  
2. Pradip Paswan, Son of Late Ganauri Paswan,  
3. Mithun Paswan, Son of Sheo Kumar Paswan,  
All are resident of Siranda, P.S. Pranpur, District - Katihar

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

=====

**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

=====

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

ORAL ORDER

2      10-03-2017      Heard learned counsel for the petitioners and learned counsel representing the State.

Petitioners apprehend their arrest in connection with Pranpur P.S. Case No. 28 of 2016 registered for the offences punishable under Sections 147, 149, 323, 325, 326, 307, 506, 504, 120B/34 of the Indian Penal Code.

Allegedly, co-accused Shiv Kumar Paswan instigated to kill Om Pal Paswan @ Om Prakash Paswan, the son of the informant, then the petitioner no. 1 assaulted Om Pal Paswan with lathi on his left thigh resulting, he fell down and then Shiv Kumar Paswan assaulted Om Pal Paswan on his head with iron rod, petitioner no. 2 Pradeep Paswan pierced pointed rod in his ear and pressed, resulting his left ear also became injured, petitioner no. 3



assaulted with sword on his neck causing injury on left thumb.

Submission is of false implication and that there is case and counter case, this case has been lodged on the basis of complaint case, the injury found on the person of Om Pal Paswan @ Om Prakash Paswan is not substantiated, injuries no. 1 and 2 are simple in nature and regarding opinion of injury no. 3 which is pain over scalp, the opinion was kept reserved but no x-ray report was submitted so no any opinion was given by the doctor in supplementary report also. The petitioners have been implicated falsely and as such they deserve sympathetic consideration as they have got no criminal antecedent.

Learned APP opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, the petitioners above named, in case 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 execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Smt. Saba Alam, J. M. Ist Class, Katihar in connection with Pranpur P.S. Case No. 28 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J)**

avin/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

