

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40310 of 2017

Arising Out of PS.Case No. -6 Year- 2016 Thana -SAHEBGANJ District- MUZAFFARPUR

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1. Sitaram Paswan,
2. Ramanth Paswan Both are Sons of Sri Dukhit Paswan, All R/o Village-
Tarama, P.S.- Sahebganj, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr. Mukeshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-09-2017 Heard learned counsel for the petitioners and leaned

Additional Public Prosecutor of the State.

The petitioners are apprehending their arrest in connection with Sahebganj P.S.Case No. 6 of 2016 registered for offences punishable under Sections 341, 323, 324, 379, 307, 504, 506/34 of the Indian Penal Code.

It is alleged that the petitioner No.1 assaulted the informant with Bhala at her thigh and the petitioner No. 2 assaulted the son of informant, Deepak Kumar by axe due to which he sustained injury and other accused assaulted her husband, Jailal Paswan by lathi due to which his left hand was injured. The injury report given by doctor, has been enclosed as Annexure-3.

Learned counsel for the petitioners submits that the injuries are simple, caused by hard and blunt substance. It has



further been submitted that there is no allegation of specific overt act against the petitioners and entire allegations against the petitioners are false and fabricated.

Considering the facts and the circumstances of the case and the nature of allegation, that is not specific, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of six weeks, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each in connection with Sahebganj P.S. Case No. 6 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate (West), Muzaffarpur, subject to the conditions laid down under Section 438 (2) Cr. P. C. with other conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the Court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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