

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54241 of 2017**

Arising Out of PS.Case No. -239 Year- 2017 Thana -CHANDI District- NALANDA  
(BIHARSHARIFF)

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1. Binay Paswan son of Bindeshwar Paswan  
2. Suryabato Devi wife of Bindeshwar Paswan  
3. Laxminiya Devi wife of Chandra Bijay Paswan  
4. Shivalak Paswan @ Shiv Balak Paswan son of Deo Saran Paswan  
5. Bikramaditya Paswan son of Shivalak Paswan  
6. Ramashish Paswan son of Late Krishna Paswan  
7. Dharmendra Kumar son of Ramashish Paswan All residents of Village -  
Raitha, Police Station - Chandi, District - Nalanda.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

2      11-12-2017                      Heard learned Counsel for the petitioners and  
  
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Chandi Police Station Case No. 239 of 2016, disclosing offences under Sections 147, 148, 149, 341, 323, 324, 307, 379, and 504 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation against these petitioners and no specific overt act is attributed to them. In fact, the parties happen to be next door neighbourer and they are in inimical terms on account of land dispute for which several dispute is pending between them. Admittedly, altercation took place between the parties but the doctor has found three injuries



on the persons of injured which are said to be simple in nature, which is evident from annexures-2 and 3. Hence, the petitioners deserve the privilege of anticipatory bail.

Learned A.P.P. has opposed the prayer for bail and submitted that all the petitioners have been named in the F.I.R. and there is direct allegation of assault against petitioner Nos. 1, 5 and 7.

Considering the facts and circumstances of the case, let the petitioner Nos. 2, 3, 4, and 6, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, in connection with Chandi Police Station Case No. 239 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner Nos. 1, 5 and 7 are concerned, this Court, considering the direct allegation against the petitioners, is not inclined to grant the privilege of anticipatory bail to these petitioners. Accordingly, the prayer for anticipatory bail of these petitioners is rejected.

**(Arvind Srivastava, J)**

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