

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2789 of 2017

Arising Out of PS.Case No. -185 Year- 2016 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Ramu Paswan
 2. Birju Paswan Both are Sons of Lakhan Paswan Resident of Village-Shambhopatti, P.S.-Mahua, District-vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

- 3 07-03-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Mahua P.S. Case No. 185 of 2016/ G.R. No. 1819 of 2016 for the offences punishable under sections 323, 448, 324, 307, 504 and 379/34 of the I.P.C.

Allegedly, the petitioners with an intention to kill gave farsa blow on Sakaldeep Paswan causing cut injury over his forehead and left hand and also assaulted Bhola Paswan on his head causing head injury. The occurrence has been caused due to the land dispute. The petitioners also snatched Bajrangbali from the neck of the informant and the locket of Durgaji from the neck



of Sakaldeep Paswan.

Submission is of false implication and that there is case and counter case and this case is the counter blast of Mahua P.S. Case No. 184 of 2016, no case under sections 307 and 379 of the I.P.C. is made out and the rest sections are bailable, the petitioners have been injured in Mahua P.S. Case No. 184 of 2016 and the informant and others are responsible and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. submits that the informant has received two bone deep injuries and further injury on Sakaldeep Paswan and Bhola Paswan is not available on the record.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioners, I am not inclined to grant privilege of pre-arrest bail to them and accordingly their such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Vaishali.

However, in case and if so advised, the petitioners surrender and seek regular bail then their prayer for regular bail shall be considered on its own merits without being prejudiced by this order.

(Jitendra Mohan Sharma, J)

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