

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.16206 of 2017**

Arising Out of PS.Case No. -154 Year- 2014 Thana -MADANPUR District- AURANGABAD

=====

Kauleshwar Paswan @ Kauleshar Paswan, Son of Late Ramdani Paswan  
Resident of Village - Chareiya, P.S. - Madanpur, District - Aurangabad.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Ms. Leelawati Kumari, Advocate.

For the Opposite Party : Mr. Anand Mohan Prasad Mehta, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      27-04-2017                      Heard both sides.

The petitioner apprehends his arrest in Madanpur P.S.  
Case No. 154 of 2014 registered for the offences punishable under  
Section 307 and other Sections of the Indian Penal Code.

The informant named the petitioner along with Padikha  
Paswan, Vijay Paswan, Chalitra Paswan, Ramnath Paswan and  
Satyendra Paswan but did not make any specific allegation of  
assault against the petitioner.

Learned counsel for the petitioner submits that police  
after investigation did not find the case true against the petitioner.  
Accordingly, the police submitted report on 28.02.2015 but, the  
learned Judicial Magistrate, Aurangabad differing with the finding  
of the police also took cognizance against the petitioner under



Section 307 and other Sections of the Indian Penal Code.

Considering the facts that no specific allegation of assault is made against the petitioner and the police did not find the case true against the petitioner although the learned Judicial Magistrate, Aurangabad took cognizance differing with the finding of the police, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabd in Madanpur P.S. Case No. 154 of 2014, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J.)**

KKSINHA/-

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