

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55745 of 2017

Arising Out of PS.Case No. -34 Year- 2016 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sunarpati Devi, W/o Late Akbal Paswan.
 2. Bhagirathi Devi, W/o Ramadya Paswan.
 3. Ravi Paswan.
 4. Bagar Paswan @ Ramjanam Paswan.
 5. Ramjee Paswan @ Ramjeet Paswan.
- All 3 to 5 Sons of Late Akbal Paswan.
6. Sandeep Paswan.
 7. Sonu Paswan.
- Both sons of Ramadya Paswan.
- All R/o Village- Sihorwa, P.S.- Ramgarhwa, District- East Champaran.

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioners : Mr. Abhishek Kumar, Advocate.
For the State : Mr. Dinesh Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 30-11-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Ramgarhwa P.S. Case No.34 of 2016 registered under Sections 147, 148, 149, 341, 342, 323, 324, 326A, 326B, 307, 435 and 504 of the Indian Penal Code.

The accusation is that the informant Rajendra Das was going to take the tractor on hire to plough his field. In the way, 8 persons,



named in the F.I.R., including the petitioners surrounded the informant and started to abuse him. At that time, Ramadya Paswan caused injury to the informant on his head through Farsa. Ravi Paswan (petitioner no.3) and Bagar Paswan (petitioner no.4) caused injury through spade and Fatta respectively at the back and forearm of the informant. When Sanjay Raut tried to pacify the matter, Sandeep Paswan (petitioner no.6) caused injury at his head through Farsa. In that course, Sonu Paswan (petitioner no.7) threw acid on Sanjay Raut causing burn injury to him.

Learned counsel for the petitioners submits that while there is allegation against Ramadya Paswan and the petitioner no.3 to cause injury to the informant by means of Farsa and spade respectively and against the petitioner no.6 to cause injury to Sanjay Raut by means of Farsa and also against the petitioner no.7 to throw acid on Sanjay Raut but there is no specific allegation against the petitioner nos.1, 2 and 5. The only allegation against the petitioner no.4 is to cause injury to the informant through Fatta.

Having considered the facts and the circumstances of the case, let the petitioner nos.1, 2, 4 and 5, namely, Sunarpati Devi, Bhagirathi Devi, Bagar Paswan alias Ramjanam Paswan and Ramjee Paswan alias Ramjeet Paswan respectively, in the event of



their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari, in connection with Ramgarhwa P.S. Case No.34 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

So far as the petitioner nos.3, 6 and 7, namely, Ravi Paswan, Sandeep Paswan and Sonu Paswan respectively, are concerned, considering the nature of allegation and means of causing assault against them, I am not inclined to grant them anticipatory bail. Accordingly, their prayer for grant of anticipatory bail stands rejected.

(Rajendra Kumar Mishra, J)

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