

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2289 of 2017

Arising Out of PS.Case No. -220 Year- 2016 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Pintu Paswan, S/o Monarik Paswan @ Munarik Paswan,
 2. Monarik Paswan @ Munarik Paswan, S/o Mishri Paswan, R/o Village- Muksudpur Taj, P.S.- Mahua, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rina Sinha
For the Opposite Party/s : Mr. Sri Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 14-02-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Mahua Police Station Case No. 220 of 2016, disclosing offences under Sections 147, 148, 149, 302, 307,337, 338, 427 and 342 of the Indian Penal Code.

Learned Counsel for the petitioners has submitted that there is general and omnibus allegation against these petitioners. The entire dispute arises out of a land dispute between the parties. Moreover, during course of investigation, most of witnesses have stated that work of centering was going on and deceased himself pulled the centering as a result of which he met an accident and got injury on his head and died. Hence,



no case under Section 302 Cr.P.C. is made out against these petitioners. Furthermore, similarly situated co-accused, Ajay Paswan, has already been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 52630 of 2016, which is annexure-2 to this application. Hence, the petitioners deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let petitioner No.1, Pintu Paswan, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Mahua Police Station Case No. 220 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner No.2, Monarik Paswan @ Munarik Paswan is concerned, having regard to the specific allegation made in the F.I.R. against Monarik Paswan @ Munarik Paswan, who happens to be the order giver to kill the deceased, prayer of anticipatory bail is rejected.

(Arvind Srivastava, J)

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