

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3531 of 2017**  
Arising Out of PS.Case No. -285 Year- 2016 Thana -MAHUA District-  
VAISHALI(HAJIPUR)

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Deelip Jaiswal @ Deelip Kumar Jaiswal Son of Surendra Jaiswal Resident  
of Village- Babkarpur Phular, P.S. Mahua, District:- Vaishali at Hajipur.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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**CORAM: HONOURABLE MR. JUSTICE SANJAY**  
**PRIYA**  
**ORAL ORDER**

3      01-03-2017                      Heard learned counsel for the petitioner and the  
  
State.

The petitioner apprehends his arrest in Mahua P.S.  
  
Case No. 285 of 2016 instituted for the offence under sections  
147, 148, 149, 341, 342, 323, 307, 385, 427 and 504 of the Indian  
Penal Code.

It is alleged that on the date of occurrence, the cattle  
hat was going on and the informant was sitting there. In the  
meantime, petitioner arrived along with other accused persons as  
mentioned in the written report and demanded Rs. 20, 000/ per  
month by way of extortion. The informant refused to make  
payment then petitioner abused him and again arrived with other



accused persons, armed with iron rod, danda and pistol etc. All the accused persons started assaulting informant with fist and slaps, and tied him with tree in front of house of this petitioner and thereafter Promod Sahni assaulted the informant on neck with iron rod, causing fracture of the bone. The other accused persons also assaulted the informant with lathi, rod, fist and slap and Vikash Sahni took away Rs. 25,000/- from the pocket. The accused also damaged the bus of the informant which was coming from Mahua to Muzaffarpur and after taking out the passengers from the bus, they also damaged the bus of the informant which caused loss of Rs. 1, 50,000/- to the informant.

C.D. has been received.

The learned A.P.P. has submitted that witnesses in paras 6,7,8 and 9 have all supported the case. The injury report of the informant is available at para 26 of the C.D. wherein the doctor found total eight injuries on the person of the injured caused by hard blunt substance.

In the report of the doctor, it appears that injuries no. 3, 5 and 6 were simple in nature and for injuries no. 1, 2, 4, 7 and 8 the patient was referred to C.T. scan.

From the written report and statement of the witnesses, it appears that there is general and omnibus allegation



against this petitioner. There is specific allegation against Pramod Sahni of assaulting the informant with intention to kill him.

The petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Mahua P.S. Case No. 285 of 2016, he shall be released on anticipatory 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, subject to the conditions as laid down under section 438(2) Cr.P.C.

**(Sanjay Priya, J)**

Ravi/-

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