

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60433 of 2017

Arising Out of PS. Case No.-78 Year-2016 Thana- GHORASAHAN District- East
Champaran

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Umesh Paswan S/o Bindeshwari Paswan @ Bindeswari Paswan, R/o village-
Kadamawa, P.S.- Ghorasahan, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. SRI RAJENDRA SINGH SHASTRIJI

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2017 Heard learned counsel for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 147,149,341,323,307,504 and 506 of the IPC.

The prosecution case is that in the background of dispute with regard to Grampanchayat election, on 23.3.2016, the accused persons assaulted the informant Chhathu Rai and his son Mukhlal Rai, Dhanai Rai and Subhash Kumar. It is specifically alleged that when the informant's nephew Birbal Rai came to their rescue, then he was also assaulted by Dinesh Paswan and Umesh Paswan with Farsa, as a result, he received cut injury on the hand and near chin. The sons of the informant namely,



Mukhlal Rai, Dhanai Rai and Subhash Kumar were also assaulted and they also received injury.

It is submitted by learned counsel for the petitioner that for petty dispute, the accusation has been levelled. The petitioner's side lodged Ghorasahan P.S. Case No. 77 of 2016 against the informant side with accusation under sections 147,447,504,341,323,379 and 506 of the IPC prior to the lodging of the present case under consideration. It is further submitted that the injury of the informant side was found to be simple. The petitioner's side had lodged a case at an earlier point of time. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. Moreover, the informant's side has retracted from the initial version and has filed a petition, as contained in Annexure 3, to that effect, before the learned court below.

Considering the aforesaid facts, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Sikrahana at Dhaka, West Champaran in



connection with Ghorasahan P.S. Case No.78 of 2016.

(Dinesh Kumar Singh, J)

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