

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52528 of 2017

Arising Out of PS.Case No. -76 Year- 2015 Thana -BAHERA District- DARBHANGA

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1. Arjun Paswan son of Late Ram Swaroop Paswan
 2. Shiv Shankar Paswan son of Late Gujjan Paswan
 3. Prakash Paswan son of Late Dholan Paswan All residents of Village - Ramauli, Police Station - Bahera, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiva Ranjan
For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 21-12-2017 Learned counsel for the petitioners at the very outset has submitted that petitioner no.2 has been taken into custody, therefore, this application with respect to petitioner no.2 has now become infructuous and seeks permission to withdraw this criminal miscellaneous application.

Permission is accorded.

Accordingly, this criminal miscellaneous application is dismissed as withdrawn having been infructuous with respect to petitioner no.2 only.

Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bahera Police Station Case No. 76 of 2015, disclosing offences under Sections 147, 148, 149, 341, 342, 354, 323, 324,



307, 447, 448, 380, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation against these petitioners and no specific overt act is attributed to them. In fact, there is land dispute between the parties and on account of that altercation took place between them and both the parties have sustained injuries which is evident from annexure-6 to the supplementary affidavit filed by the petitioners. Moreover, case and counter case has also been lodged by both the parties. Hence, the petitioners who are of clean antecedent deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, in connection with Bahera Police Station Case No. 76 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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