

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1006 of 2018

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1. Poonam Devi wife of Arun Paswan
 2. Anita Kumari @ Anita Devi wife of Abhishek Paswan
 3. Arun Paswan son of Late Mahendra Paswan
 4. Amit Kumar Paswan son of Late Mahendra Paswan
 5. Abhishek Paswan @ Abhishek Kumar Paswan son of Late Mahendra Paswan
 6. Ashutosh Kumar Paswan @ Ashutoah Kumar Yadav son of Late Mahendra Paswan

All are residents of Village - Madhepura, P.S. - Kaluahi, District - Madhubani.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 16-01-2018 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with Kaluahi P. S. Case No.134 of 2017 registered under Sections 353, 224, 225/34, 341 and 323 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that none of the petitioners are family members of



Chandan Paswan and, thus, there is no question of their remaining present at the place of occurrence, which is inside the house of Chandan Paswan where he was allegedly sleeping. He submitted that falsity of the present case is evident from the fact that Chaukidar 5/17 Ram Ekbal Thakur stated *inter alia* that at 3.30, the police raided and arrested him but his family members rescued him and Chaukidar Ram Ekbal Thakur has not named the petitioners as amongst the accused. He submitted that so far as accused nos. 7 to 11 are concerned, they are family members of Chandan Paswan, but it is surprising that father, uncle and some other family members of Chandan Paswan have not been made accused and some outsiders have been impleaded as accused.

Learned Additional Public Prosecutor for the State opposed the prayer for grant of pre-arrest bail to the petitioners.

Considering the nature of allegation and the submissions made above, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Madhubani in Kaluahi P. S. Case No. 134 of 2017, subject to the conditions as laid down under Section 438 (2) of



the Code of Criminal Procedure, in the event of arrest or
surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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