

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1491 of 2018**

Arising Out of PS. Case No.-153 Year-2017 Thana- DINARA District- Rohtas

Lallu Paswan, Son of Late Sona Paswan @ Sona Ram, Resident of Village:  
Bhagwanpur, P.S.: Dhansoi, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. SRI NAND KISHORE PD

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      11-01-2018              Heard learned counsels for the petitioner, informant and  
State.

The petitioner is apprehending arrest in a case initially registered for the offences punishable under Sections 307, 323 and 341/34 of the IPC, but subsequently, Sections 302 and 120B of the IPC were also added.

The prosecution case, as per the fardbeyan of Ajay Kumar Singh is to the effect that on 01.06.2017, at 07.50PM, the informant stepped out from his house for taking a stroll, then the wife of his co-villager Bindu Singh told him that some persons were calling him and as soon as he went ahead, his co-villager, Raghunath Sah, Parsuram Yadav, Laxman Yadav and the petitioner, Lallu Paswan came there, upon which co-accused Raghunth Sah took out pistol and fired causing injury on the left



arm of the informant, while Parsuram Yadav caused firearm injury on the left side of the chest of the informant and thereafter, Laxman Yadav caused firearm injury on the abdomen of the informant and thereafter, all the accused persons escaped from the scene. Subsequently, the informant was taken to Primary Health Centre, Kochas for treatment, where he succumbed to the injuries.

It is submitted by learned counsel for the petitioner that specific accusation of firing is against co-accused Raghunath Sah, Parsuram Yadav and Laxman Yadav. No overt act has been alleged against the petitioner. The petitioner has been roped in the present case due to dispute with regard to a pond. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned counsel for the informant that during investigation, it has surfaced that the petitioner also actively participated in the commission of offence.

Considering the fact that there is no specific accusation of assault against the petitioner in the FIR coupled with the statement made in para 3 of the petition that the petitioner is not having any criminal antecedent, let above named petitioner be released on anticipatory bail in the event of arrest/surrender



before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Bikramganj, Rohtas in connection with Dinara P.S. Case No. 153 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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