

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29336 of 2018

Arising Out of PS.Case No. -339 Year- 2017 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

=====

1. Uma Devi, W/o Angur Paswan,
2. Sumant Paswan S/o Gorakh Ram,
3. Surendra Ram S/o Gorakh Ram,
4. Heeraman Ram S/o Vishandhar Ram,
5. Ankur Paswan S/o Prabhu Paswan,
6. Raj Kumar Ram S/o Kashi Ram,
7. Ramesh Paswan S/o Faudar Paswan, All 7 are R/o Vill.- Gonauli, P.S.-
Lauria, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Murlidhar

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 18-05-2018 Heard both sides.

The petitioners apprehend their arrest in Lauriya P.S.
Case No.339 of 2017 registered under Section 307 and other
Sections of the Indian Penal Code.

The informant named 10 persons including 7
petitioners and made specific allegation against Ankur Paswan
who assaulted with spear on the head of Shanti Devi, the wife of
the informant. Sumant Paswan is alleged to have Balkeshwar
Chaudhary, the son of the informant with spear on his right hand
and Surendra Ram is alleged to have assaulted Ramila Devi with



lathi.

The learned counsel for the petitioners submits that there is a counter version being Lauriya P.S. Case No.330 of 2017. Out of seven petitioners, no specific allegation is made against petitioner No.1, Uma Devi, petitioner No.4, Heeraman Ram, petitioner No.6, Raj Kumar Ram and petitioner No.7, Ramesh Paswan. Surendra Ram, petitioner No.3 is alleged to have assaulted Ramila Devi, the daughter-in-law of the informant but from perusal of injury report of Ramila Devi, page 17 of the brief, it would appear that she has got only complaint of pain and swelling over left finger.

Taking into consideration that there is no specific allegation of assault against petitioner Nos.1, 4, 6 and 7 and petitioner No.3, who is alleged to have assaulted Ramila Devi causing injury on finger only and the injury caused by petitioner No.5 to the wife of the informant is found simple in nature, the petitioner No.1, Uma Devi, petitioner No.3, Surendra Ram, petitioner No.4, Heeraman Ram, petitioner No.5, Ankur Paswan, petitioner No.6, Raj Kumar Ram and petitioner No.7, Ramesh Paswan, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be



enlarged 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 A.C.J.M. Ist Class, Bettiah, West Champaran in connection with Lauriya P.S. Case No.339 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as the case of Sumant Paswan, petitioner No.2 is concerned, he is alleged to have assaulted Balkeshwar Chaudhary, son of the informant with spear on his hand and the injury of Balkeshwar Chaudhary has been found to be grievous.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner No.2, Sumant Paswan on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

Saurabh/-

U		T	
---	--	---	--

