

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1842 of 2018

Arising Out of PS. Case No.-152 Year-2017 Thana- AKHODHIGOLA District- Rohtas

Udal Paswan, Son of Kesho Paswan, resident of Village- Gamhariya, P.S.-
Akorhigola, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subash Kumar, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-01-2018 Heard learned Counsels for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 147, 149, 341, 323,
325, 307, 447, 504 and 506 of the Indian Penal Code.

Prosecution case as per the written report of Bhola Ram
submitted to the Akorhi Gola Police Station, is to the effect that
on 28.08.2017 at 8.00 A.M. when the informant was sitting in
his house, the co-accused, Kesho Paswan, Shamindar Kumar,
Indal Paswan, Lamina Devi and the petitioner Udal Paswan
variously armed came and started abusing the informant and
assaulted him. When son of the informant Ganga Ram, Jamuna
Paswan and his brother Rekha Ram came to rescue him then
accused persons assaulted them with danda and iron rod. In that



course, the informant also sustained injury on his head. The genesis of the occurrence is old land dispute.

It is submitted by learned counsel for the petitioner that the accusation of assault is against five persons, but in fact the injury report of the informant did not suggest any external injury. However, he received one fracture injury on the neck, which is grievous in nature. The accusation is not specific against the petitioner. The accusation has been levelled in the background of serious land dispute. In fact, the informant fell down in the drainage and got injured. 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 Mr. Uma Shankar Prasad Singh, learned APP for the State that grievous injury has been caused to the informant.

Considering the fact that the accusation is omnibus and general and the injury report does not suggest any external injury when the accusation of making assault has been made by five persons, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent., let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the



learned Court below within a period of 12 weeks from today, on
furnishing bail bond of Rs.10,000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of the learned
Judicial Magistrate, Dehri (Rohtak) in connection with
Akorhigola P.S. Case No. 152 of 2017, subject to the conditions
as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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