

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39853 of 2018

Arising Out of PS.Case No. -47 Year- 2018 Thana -KARPI District- JEHANABAD

- =====
1. Dharmendra Paswan S/o Bairagi Paswan Resident of Village- Nirakhpur, P.S. Arwal, District- Arwal.
 2. Horil Paswan S/o late Hari Paswan Resident of Village- Teri, P.S. Karpi, District- Arwal.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 11-07-2018

Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 341, 307, 379, 387, 506 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Alakh Paswan dated 29.03.2018 submitted to the Station House Officer, Karpi P.S., is to the effect that on 29.03.2018 at 7.30 P.M., the informant was in his office at brick kiln, in the meantime, all accused persons came on Scorpio vehicle and on a four motorcycles. It is alleged that co-accused Anandi Paswan



fired with rifle on the informant and all accused persons assaulted him with the butt of the rifle, lathi and danda and took away Rs.40,000/- from the cash box kept in the office, whereas petitioner no. 1, Dharmendra Paswan snatched a gold chain from the informant and co-accused Sanjay Kumar demanded Rs.Five lacs as extortion.

It is submitted by learned counsel for the petitioners that in the background of dispute with regard to brick kiln business, the accusation has been levelled. The specific accusation of firing and snatching Rs.40,000/- is against co-accused Anandi Paswan, who has been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 33883 of 2018. The accusation of assault against the petitioner no. 1 is omnibus and general and there is no accusation against petitioner no. 2. Though, there is specific accusation of snatching a gold chain against petitioner no. 1 but it appears to be cosmetic in nature. It is further submitted that petitioner no. 1 is accused in one other case whereas petitioner no. 2 is accused in two other cases but they are on bail in those cases.

Learned APP, however, submits that the petitioners are named in the FIR.

Considering the fact that thrust of accusation is



against co-accused Anandi Paswan, who has been granted anticipatory bail, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Arwal in connection with Karpi P.S. Case No. 47 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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