

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2512 of 2018

Arising Out of PS.Case No. -102 Year- 2017 Thana -KURTHA District- JEHANABAD

- =====
1. Ramuna Devi, W/o Bhtan Paswan.
 2. Dipak Paswan, S/o Armenjus Paswan,
 3. Manish Paswan, S/o Shivpujan Paswan, all resident of Village Sachai
P.S. Kurtha, District- Arwal.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Ms. Kumari Jyoti

For the Opposite Party/s : Mr. Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2018 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Kurtha P.S. Case No. 102 of 2017 registered for the offence punishable under Sections 147, 148, 341, 323, 504, 447, 307 and 379 of the Indian Penal Code.

The allegation against the accused persons including the petitioners herein is assaulting the informant, his father and brother. It is further alleged that there is assault by means of khanti on the head of informant's father resulting in grievous injury and dislocation of his arm. However, the injuries sustained by the other person, namely, Pinku has been found to be simple in



nature.

The learned counsel for the petitioners submits that as far as the petitioner no. 2 is concerned, there is no allegation of any specific overt act as against him, while the petitioner no. 1 is not even named in the FIR. It is further submitted that the petitioners are having a clean antecedent.

As far as petitioner nos. 1 and 2 are concerned, one being not named in the FIR and as against petitioner no. 2, there being no allegation of specific overt act leading to any grievous injury, I deem it fit and proper to enlarge the petitioners no. 1 and 2, namely, (1) Ramuna Devi; and (2) Dipak Paswan @ Dipak Kumar on anticipatory bail in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Arwal in connection with Kurtha P.S. Case No. 102 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

As far as petitioner no. 3 is concerned, there is specific allegation of assault by him on the father of the informant resulting in grievous injury, hence I am not inclined to enlarge the



petitioner no. 3 on anticipatory bail.

Accordingly, the prayer for anticipatory bail of the
petitioner no. 3 herein is dismissed.

(Mohit Kumar Shah, J)

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