

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51653 of 2018

Arising Out of PS.Case No. -97 Year- 2018 Thana -HULASGANJ District- JEHANABAD

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1. Bundi Paswan @ Bunpi Paswan son of Musafir Paswan
 2. Kaushik Paswan, son of Bundi Paswan,
 3. Brind Paswan, son of Late Basanti Paswan,
 4. Dilkeswar Paswan @ Dilkesar Paswan son of Musafir Paswan,
 5. Shringar Paswan @ Shringar Kumar son of Naresh Paswan.

All are resident of Village- Kokrasa, P.S.- Hulasganj, District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ansul, Advocate with
Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 20-09-2018

Heard learned counsel for the petitioners and learned
A.A.P. for the State.

2. At the very outset, learned counsel for the petitioners
submitted that the application as far as petitioner no. 2 is concerned
is not being pressed as he has been arrested.

3. The petitioners apprehend arrest in Hulasganj P.S.
Case No. 97 of 2018 dated 31.05.2018 instituted under Sections



147/149/341/323/338/307/379/504 and 506 of the Indian Penal Code.

4. The allegation against the petitioners is general that they had assaulted the informant and others with *Khanti, Rod, Lathi* and *Bat*. The genesis is that there was a cricket match being held which resulted in dispute between two sides which further aggravated into scuffle and brick batting.

5. Learned counsel for the petitioners submitted that for the same incident, the petitioner no. 3 had lodged SC/ST Jehanabad P.S. Case No. 33 of 2018 instituted under Sections 323/ 325/ 504/ 506/ 509/ 147 /148/ 149 of the Indian Penal Code. It was submitted that though there is allegation of injury but it has neither been stated as to what steps were taken by the informant and others for getting the injury managed, as no details have been given. It was further submitted that the petitioners have no other criminal antecedent.

6. Learned A.A.P. submitted that there is allegation of assault. However, he does not dispute the fact that the allegation is general and omnibus and not specific against any of the present petitioners.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds



of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Jehanabad in Hulasganj P.S. Case No. 97 of 2018, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973. One of the bailors shall be a close relative of the petitioners. The petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners. The petitioners shall also give an undertaking to the Court that they shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his their bail bonds.

(Ahsanuddin Amanullah, J)

P. Kumar

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