

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19729 of 2018

Arising Out of PS. Case No.-224 Year-2017 Thana- LAURIYA District- West Champaran

1. Bikau Paswan, S/o Late Videshi Paswan,
2. Ranjesh Paswan S/o Brijesh Paswan, Both are R/o-Suarchhap,
P.S.- Lauriya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

Criminal Miscellaneous No. 19895 of 2018

Arising Out of PS. Case No.-224 Year-2017 Thana- LAURIYA District- West Champaran

Chandra Mohan Ram, S/o Babulal Ram, R/o Suarchhap, P.S.- Lauriya,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In Criminal Miscellaneous No. 19729 of 2018)

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

(In Criminal Miscellaneous No. 19895 of 2018)

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 27-04-2018 Heard learned counsel for the petitioners, learned
counsel for the informant and the State.

The petitioners apprehend arrest in Lauriya P.S. Case
No. 224 of 2017, instituted for the offence under Sections 147,
148,149,341,323,307,447,324,307,379,385,504,506 of the IPC.

Learned counsel for the petitioners has submitted that



present cases are counter blast of Lauriya P.S. Case No. 219 of 2017 filed by Bikau Paswan against the present informant and others. There is no any allegation of assault against petitioner no. 1 and 2 of Cr. Misc. No. 19729 of 2018.

Allegation in the written report against petitioner of Cr. Misc. Case No.19895 of 2018 is that he along with Pradeep Paswan gave a farsa blow on the shoulder and leg of Arun Rao. Injury report of Arun Rao has been enclosed as Annexure-3 to this petition, wherein, doctor has found three injuries on the person of injured, in which injury no. 1 is grievous in nature and caused by sharp weapon and injury no. 2 and 3 are simple in nature and both are caused by hard and blunt substance.

From perusal of injury report, it appears that injuries were found on leg, shoulder and forearm on the person of injured, i.e. not on vital part of the body.

Learned counsel for the informant has appeared and opposed the prayer by submitting that earlier also cases have been pending between the parties.

In such circumstances, prayer for anticipatory bail of Petitioners in Cr. Misc. Case No.19729 of 2018 and Cr. Misc. Case No.19895 of 2018 is allowed. It is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this



order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Lauriya P.S. Case No. 224 of 2017, to the satisfaction of the learned ACJM-1st, Bettiah, West Champaran, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (1) (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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