

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40844 of 2018

Arising Out of PS.Case No. -56 Year- 2018 Thana -HASANPUR District- SAMASTIPUR

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Rajesh Paswan S/o Late Bindeshwari Paswan, resident of village-
Mohiuddinpur, P.S.- Hasanpur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Adv.

For the Opposite Party/s : Sri Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 25-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Hasanpur Police Station Case No. 56 of 2018 registered for offences punishable under sections 143, 307, 323, 325, 341, 354 and 504 of the Indian Penal Code.

The allegation, as per written report, is that when the informant was fencing his land after demarcation, this petitioner along with four others variously armed with lethal weapons came over his land and assaulted the informant and his family members.

It has been submitted that the allegation of assault is not specific against this petitioner rather omnibus against five persons. Both the parties are residents of same place and on the date of occurrence, scuffle took place between the parties for which the wife of this



petitioner has lodged Hasanpur Police Station Case No. 169 of 2017 against the informant and his family members. Further submission is that the informant sustained only one injury on his head. The petitioner is in custody since 09.04.2018 having clean antecedent and so he deserves to be enlarged on bail.

The learned Additional Public Prosecutor on the other hand opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-III, Samastipur in connection with Hasanpur Police Station Case No. 56 of 2018, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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