

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53926 of 2018

Arising Out of PS. Case No.-104 Year-2018 Thana- PATEPUR District- Vaishali

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1. Surendra Paswan, S/o Late Jagdhar Paswan.
 2. Devanand Paswan, S/o Bijli Paswan.
 3. Rakesh Paswan, S/o Naresh Paswan @ Ram Naresh Paswan.
- All R/o Village- Ashma, P.S.- Patepur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Soni, Advocate.

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-09-2018 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners seek bail in connection with Patepur P.S.
Case No.104 of 2018 registered under Sections 147, 149, 448, 341,
323, 307 and 436 of the Indian Penal Code.

The accusation is that 5 persons, named in the F.I.R.,
including the petitioners in drunken state entered into the house of
the informant and started to abuse and caused assault to the informant
through lathi and danda. When the mother-in-law and Gotani of the
informant rushed to save the informant then they were also assaulted
by them. At that time, on the order of Deo Kumar Sahni, others put
the fire in the house of the informant in which the motorcycle, Thela
etc. burnt to ashes.



Learned counsel appearing on behalf of the petitioners submits that, in fact, due to assault by the informant and her family members, the petitioner no.3 Rakesh Paswan sustained injury and the house of the petitioner no.3 was also burnt regarding which on the basis of the fardbeyan of the petitioner no.3, Patepur P.S. Case No.103 of 2018 was also instituted on 15.06.2018 under Sections 448, 341, 323, 324, 325, 307 and 436/34 of the Indian Penal Code against Gaya Paswan, Mukesh Paswan, who are family members of the informant, and 2-3 unknown. Thereafter, the informant only to put undue pressure upon the petitioners and others lodged this false case. Further submission is that the petitioners having no criminal antecedents are in custody since 15.06.2018.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Patepur P.S. Case No.104 of 2018.

(Rajendra Kumar Mishra, J)

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