

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68765 of 2018

Arising Out of PS. Case No.-151 Year-2018 Thana- KOTWA District- East Champaran

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1. Kunjesh Paswan, Son of Bualal Paswan @ Bualal Hajra,
 2. Dina Paswan, Son of Late Jagu Paswan, Both residents of Village- Karariya Fateh Tola, P.S.- Kotwa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Braj Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 324, 325, 307, 354B, 302 and 379 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons, variously armed, assaulted father of the informant due to which he sustained injury and later succumbed to the injury.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioners are alleged to have assaulted Arjun



Paswan and Dharmendra Paswan. The nature of injury is said to be simple. The allegation of assault against the deceased is against Umesh Paswan and Rajdeo Paswan. No allegation of causing injury on the deceased is attributed to the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. They have actively participated in the alleged occurrence in respect to assault upon the injured persons.

Considering the same, I am not inclined to grant anticipatory bail to the petitioner. Prayer is rejected. However, if the petitioner surrenders in the Court below and pray for bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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