

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73533 of 2018

Arising Out of PS. Case No.-528 Year-2017 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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1. Rajendra Paswan, Son of Late Adhin Paswan @ Adhik Paswa
 2. Harilal Paswan, Son of Adhin Paswan @ Adhik Paswan
 3. Subodh Paswan, Son of Rajendra Paswan. All Resident of Village-Khutirahi,
Ward No.11, Police Station Srinagar, Distt.-Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalita Devi, Wife of Arjun Paswan, Resident of Village-Ram Agar, Mahesh,
Police Station Kumarkhand, Distt.-Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a complaint
case filed with accusation levelled under Sections 323, 379, 354
and 504 of the IPC.

It is surprising that neither the impugned order nor the
petition suggests that under which provision the cognizance has
been taken against the petitioners.



The prosecution case as per the complaint is that the complainant purchased a piece of land from one Laxman Kumar and she came in possession of the said land. Petitioner No.1, Rajendra Paswan was also inclined to purchase the said land. On 05.09.2017 at about 10.00 A.M., all the FIR named accused persons came variously armed and started to make construction over the land of the complainant. On protest being made, Petitioner No.1, Rajendra Paswan caught hold the hair of the complainant and thrashed her on the ground and snatched her gold ear-ring worth Rs. 20,000/-. On alarm being raised, when the husband of the complainant came to rescue her, he was also assaulted by the accused persons. It is further alleged that petitioner no. 2, Harilal Paswan, and petitioner no.3, Subodh Paswan took the box containing cash of Rs. 10,000/-, clothes and ornaments.

It is submitted by the learned counsel for the petitioners that in the background of land dispute, the accusation has been levelled against the petitioners when no injury has been caused to the complainant or her husband. It is further submitted that there is counter version of occurrence, being Srinagar P.S. Case No. 22 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioners are involved



in one other case also in which they are on bail.

Learned APP submits that the petitioners are named in the FIR.

Considering the nature of accusation being levelled in the background of land dispute, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned **Sub-Divisional Judicial Magistrate, Madhepura** in connection with **Complaint Case No. 528 of 2017** subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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