

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70678 of 2018

Arising Out of PS. Case No.-364 Year-2018 Thana- RAJAON District- Banka

Sildhar Paswan, son of Parmanand Paswan, resident of Village- Rajawar,
Police Station- Rajoun, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-12-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,323,347,337,307 and 504/34 of the IPC.

The prosecution case as per the written report of Banti Kumar Mandal submitted to the SHO, Rajaun Police Station is to the effect that on 18.8.2018 at about 4 P.M. the informant was cleaning the drainage, in the meantime, three accused persons including the petitioner came and started abusing him. On protest being made, they started assaulting the informant too. The assault made by lathi caused an injury on the head of the informant. When the mother of the informant came to rescue, she was also assaulted.



It is submitted by learned counsel for the petitioner that in the background of dispute over the drainage, the accusation has been levelled. It is further submitted that the accusation of assault is omnibus and general against three persons. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. Moreover, there is counter version of the occurrence as the petitioner lodged Rajaun P.S. Case No. 365 of 2018 with accusation under Sections 341,323,337,307,504 and 506/34 of the IPC.

Learned APP submits that the petitioner is named in the FIR with specific accusation of assault.

Considering the omnibus and general accusation of assault and there being no discussion of injury caused to the informant in the order of the learned Sessions Judge, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Banka in connection with Rajon P.S. Case No.364 of 2018 subject to the conditions laid down in Section



438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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