

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71780 of 2018

Arising Out of PS. Case No.-70 Year-2018 Thana- PANJWARA District- Banka

1. Pavitri Devi, wife of Jagarnath Paswan
2. Smriti Kumari, daughter of Jagarnath Paswan
3. Deepak Paswan @ Deepak Kumar Paswan
4. Vikash Paswan @ Vikash Kumar Paswan
Both sons of Jitendra Paswan
All resident of Dhoraiya Chowk, Panjwara (wrongly Panjwa mentioned in
column -7 of F.I.R. instead of Panjwara), P.S.- Panjwara, District- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Das No.- 2
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 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 341, 323, 324, 307, 379, 504, 506, 327,
427/34 of the Indian Penal Code.

The prosecution case, in short, is that while the informant
was making construction on his land, the accused persons, variously
armed, came there and attacked on him and also assaulted him due
to which he sustained injury.

It has been submitted on behalf of the petitioners that the
petitioner no. 2 has 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.



Petitioner no. 3 is alleged to have assaulted by the butt of the pistol. No firing is alleged to have made in course of occurrence. Hence, there was no intention to commit the murder. Petitioner nos. 1 and 2 are ladies. It is alleged that they had threw chilly powder in course of the occurrence. The alleged occurrence is said to have taken place for petty reasons. The manner of occurrence as disclosed does not constitute offence under Section 307 IPC.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Banka in connection with Panjwara P.S. Case No. 70 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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