

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20151 of 2018

Arising Out of PS.Case No. -21 Year- 2017 Thana -KUSHESHWARSTHAN District-
DARBHANGA

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1. Umesh Paswan, S/o Bhatai Paswan,
2. Bhikho Paswan S/o Anrudh Paswan,
3. Anil Paswan S/o Rajendra Paswan,
4. Nunu Paswan S/o Lagil Paswan,
5. Sanjiv Paswan @ Sanjit Paswan S/o Suresh Paswan, All R/o Village-
Rauto , P.S.- Kusheshwar Sthan, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Narayan Mahto

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Kusheshwar Sthan, P.S.Case no.21 of 2017 corresponding G.R.No.86 of 2017, registered for offences punishable under Sections 147, 148, 149, 341, 323, 307, 448, 379 & 435 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioners is of making firing on the police party also committing “Loot-pat” and there is also allegation of assault against them.

Submission of the learned counsel for the petitioners is that as a matter of fact the petitioners’ side had lodged a case against



the police prior to lodging of the present case and thereafter in order to save their skin, this case has been lodged at the instance of the S.I. of the Police Station. Petitioners are named in the FIR and there is specific allegation attributed against them.

Heard learned A.P.P. also.

Having heard both sides and there is specific allegation against the petitioners and also considering the fact that there is specific allegation against the petitioner Umesh Paswan and Sanjiv Paswan of firing. I am not inclined to grant privilege of the anticipatory bail to Petitioner nos. 1 and 5 (Umesh Paswan and Sanjiv Paswan respectively) rather the petitioner nos. 1 and 5 surrender within the period of four weeks from the date of receipt of this order and make prayer for regular bail, which will be considered by the learned court below on its own merit.

So far petitioner no.2 (Bhikho Paswan, 3. Anil Paswan and 4. Nunu Paswan are concerned, they will surrender within a period of four weeks from the date of receipt of this court and on their surrender they shall be released on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Biroul under district Darbhanga in connection with K. Sthan P.S.Case No.21 of 2017 corresponding G.R.No.86 of 2017,



subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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