

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68816 of 2018

Arising Out of PS. Case No.-14 Year-2018 Thana- GWALPARA District- Madhepura

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1. Dilip Paswan, S/o Bechan Paswan, Resident of Village- Shyam, P.S.- Gwalpara, District- Madhepura.
 2. Ramchandra Paswan, S/o Late Rajballav Paswan,
 3. Bidyanand Paswan, S/o Late Rajballav Paswan, Both residents of Village- Bara, P.S.- Gwalpara, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar
For the Opposite Party/s : Mr. Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-12-2018 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, 307, 504, 120B of the Indian Penal Code and Sections 25(1-B)A, 26, 27 & 35 of the Arms Act.

The prosecution case, in brief, is that while the informant was sitting at the washing shop of Md. Ajjfar, the accused persons having armed with weapons, attacked the informant.

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 been falsely implicated in the present case. Two cases were



instituted for the same occurrence. The present case has been instituted by driver of the vehicle in question. Annexure-2 is the case instituted by owner of the vehicle in question. The petitioner is not an accused in Annexure-2 and subsequently, he has been made accused in the present case which is Annexure-1 to the present application. The nature of injury is said to be simple. No offence u/S 307 of the Indian Penal Code is made out. Rest of the offences are triable by the Magistrate.

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

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 Sri Shiv Kumar, learned Judicial Magistrate-Ist Class, Uda-Kishunganj, District-Madhepura in connection with Gwalpara P.S. Case No. 14 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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