

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62028 of 2018

Arising Out of PS. Case No.-39 Year-2018 Thana- BAGENGOLA District- Buxar

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1. Chitranjan Paswan, Son of Vijendra Paswan,
 2. Akshay Lal Ram, Son of Arjun Ram,
 3. Kanhaiya Paswan, Son of Late Bhodan Paswan @ Late Bholbhodar Paswan, All resident of Village- Bhada, P.S.- Bagengola, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.
For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 448, 379, 354, 323, 307 and 427 of the IPC.

The prosecution case, as per the written report of Daya Shankar Pandey, submitted to S.H.O. Bagengola P.S. is to the effect that on 24.06.2018, 30 to 35 persons belonging to Scheduled Casts community came and entered into the house of the informant, pelted stones, snatched a gold chain of the wife of the informant and took away Rs.1 lac 35 thousand from a box kept in the house. It is further alleged that the accused persons



also assaulted the brother of the informant, Daya Shankar Pandey causing bleeding injuries.

It is submitted by the learned counsel for the petitioners that in the background of a dispute with regard to taking water from a pond, leading to registration of Bagengola P.S. Case No.38 of 2018 by the petitioners, the present case has been lodged as a retaliatory measure. The accusation is against the mob. It is further submitted that except one injury caused to Daya Shankar Pandey, the injuries of all the injured have been found to be simple in nature. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent. It is further submitted that the co-accused Sanjay Kumar Ranjan and other co-accused persons have been granted privilege of anticipatory bail by a co-ordinate Bench of this Court, vide Cr. Misc. No.53840 of 2018.

Learned APP submits that the accusation is specific against the petitioners and they are also named in the FIR.

Considering the nature of accusation being omnibus and general, the case lodged by the petitioners' side at earlier point of time and the accusation not being corroborated by the medical opinion, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any



criminal antecedent, let the above named petitioners 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 **A.C.J.M. 1st, Buxar**, in connection with **Bagengola P.S. Case No.39 of 2018**, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/Deepak/-

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