

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29397 of 2018

Arising Out of PS.Case No. -1145 Year- 2017 Thana -SAHARSA District- SAHARSA

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1. Lakshmi Paswan, S/o Late Sukhdeo Paswan,
2. Rahul Paswan, S/o Shiv Shankar Paswan,
3. Shatrughan Paswan, S/o Bijendra Paswan,
All R/o Vill.- Loukahi, P.S.- Bihra, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate
For the Informant : Md. Harun Quareshi, Advocate
For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-06-2018 It has been submitted that petitioner Nos. 1 and 2 have already been arrested. Therefore, their prayer for anticipatory bail has become infructuous.

The prayer for anticipatory bail of petitioner Nos. 1 and 2 is dismissed as having become infructuous.

Heard learned counsel for the petitioner No. 3, learned counsel for the informant and the State.

The petitioner No. 3 apprehends his arrest in **Saharsa Sadar P.S. Case No. 1145 of 2017**, instituted for the offence under Sections 341, 323, 324, 307, 384, 379, 504 and 506/34 of the Indian Penal Code.

There is allegation in the written report that petitioner



No.3 assaulted the informant with *Dabiya* on his head.

Case diary has been received.

The learned APP has submitted that injury report of the informant is available in paragraph-25 of the case diary which shows that there was only one injury found on the person of the informant. The opinion of the doctor has not been mentioned in the injury report.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner No. 3 namely, Shatrughan Paswan, is allowed. In the event of surrender/arrest of the petitioner No. 3, named above, within six weeks from today, in connection with **Saharsa Sadar P.S. Case No. 1145 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Saharsa**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if



petitioner tampers with the evidence or the witnesses of the case,
in that case, prosecution will be at liberty to move for cancellation
of bail of the petitioner.

S.Ali/-
Rohit Kr.

(Sanjay Priya, J)

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