

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58141 of 2018

Arising Out of PS. Case No.-235 Year-2018 Thana- KHARHAGPUR District- Munger

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1. Kajal Devi, Wife of Sri Nawal Paswan @ Newal Paswan.
 2. Preeti Devi @ Anita Devi, Wife of Sri Shawan Paswan.
 3. Shawan Paswan @ Sawan Paswan, S/o Arjun Paswan
 4. Nawal Paswan @ Newal Paswan S/o Arjun Paswan
 5. Arjun Paswan, S/o Late Hari Paswan, All residents of Gaura,
P.S.- Haweli Kharagpur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date : 13-12-2018

Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend arrest in connection
with Kharagpur P.S. Case No. 235 of 2018 dated 22.07.2018
instituted under Sections 341/323/308/379/448/504/34 of the
Indian Penal Code.

3. The informant, who is the full brother of
petitioners no. 3 and 4 has alleged that he had given loan of Rs.



50,000/- to petitioner no. 3 and when he went to ask for repaying of the loan, he was assaulted by accused who took Rs. 5000/- and also a gold chain from him.

4. Learned counsel for the petitioners submitted that the informant actually was insisting for partition and to exert pressure, he took advantage of injury suffered and gave it a picture of assault by the petitioners. It was submitted that the incident is also unbelievable for it cannot be accepted for the full brothers, father and wives of the brothers to collectively assault the informant. Learned counsel summed up his submissions by drawing the attention of the Court to copy of the compromise entered into between the parties in which it has been stated that they have settled the issue amicably among themselves.

5. Learned A.P.P. submitted that the Court may take a view in light of compromise entered into between the parties.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the



learned A.C.J.M.- IV, Munger or successor court in Kharagpur
P.S. Case No. 235 of 2018, subject to the conditions laid down
in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J)

Anjani/-

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