

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61990 of 2018

Arising Out of PS.Case No. -26 Year- 2018 Thana -BANDEYA District- AURANGABAD

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1. Akhilesh Paswan, S/o Gora Paswan
 2. Gora Paswan, S/o Late Doman Paswan
 3. Subhash Paswan @ Subodh Paswan, S/o Gora Paswan.
 4. Manoj Paswan, S/o Gora Paswan
 5. Umesh Paswan, S/o Gora Paswan. All resident of Village- Bandeya, P.S. Bandeya, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 06-10-2018

Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Janeshwar Paswan dated 04.08.2018 submitted to the Station House Officer, Bandey P.S., is to the effect that on the same day at 9.00 A.M., while the informant was making ridge on his field, petitioner no. 2, Gora Paswan open fired but it did not hit



anyone, thereuponm all the accused persons chased the informant armed with spear, garasa and lathi. It is further alleged that the motive behind the occurrence was to grab the land of the informant.

It is submitted by learned counsel for the petitioners that petitioner no. 2 is the cousin brother of the informant and in the background of land dispute, the accusation has been levelled against the petitioners. Admittedly, no injury has been caused to the informant side. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

Considering the genesis of the occurrence and admittedly no injury being caused to the informant coupled with the statement being made in paragraph 3 of the petition that petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or 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 the like amount each to the satisfaction of learned Sub-divisional Judicial



Magistrate, Daudnagar, Aurangabad in connection with Bandeya
P.S. Case No. 26 of 2018, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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