

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59009 of 2018

Arising Out of PS.Case No. -174 Year- 2018 Thana -PATORI District- SAMASTIPUR

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1. Shatrudhan Paswan @ Satrudhan Paswan, S/o Late Nageshwar Paswan,
2. Sanjeet Paswan S/o Kusheshwar Paswan,
3. Dharmendra Paswan S/o Kusheshwar Paswan,
4. Praveen Paswan @ Butan Paswan S/o Late Nageshwar Paswan, (wrongly mentioned in the FIR with @ Name Arvind Paswan),
5. Arvind Paswan @ Janglu Paswan S/o Late Nageshwar Paswan (wrongly mentioned in the FIR as Pravin Paswan,
6. Uma Shankar Paswan S/o Asheshwar Paswan, All are R/o Vill.- Siura, Mushari, P.S.- Patori, District- Samastipur.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Opposite Party/s : Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek anticipatory bail in a case instituted for the offences under Sections 147, 149, 307, 323, 337, 338, 341, 354, 447 and 504 of the Indian Penal Code.

Allegation has been made by the informant that on 01.06.2018 at about 8.00 A.M., while he was at his home, 8 persons named in the F.I.R. including the petitioners and 10 unknown persons armed with lethal weapons came on his land and started construction of boundary wall over khata no. 549, khesra



no. 938(old) through mason and labour.

Learned counsel for the petitioners submits that there is a land dispute between the parties. Except petitioner no.1, there is no specific allegation has been attributed against other petitioners.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, let the petitioner nos. 2 to 6 namely **Sanjeet Paswan, Dharmendra Paswan, Praveen Paswan @ Butan Paswan, Arvind Paswan @ Janglu Paswan and Uma Shankar Paswan** 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 the learned A.C.J.M.-IV, Samastipur in connection with Shahpur Patori (Patory) P.S. Case No.174 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as petitioner no.1 is concerned, there is specific allegation against him for giving stone blow on the head of the informant causing head injury.

In such view of the matter, this court is not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of petitioner no.1 namely **Shatrudhan**



Paswan @ Satruhan Paswan is rejected.

However, if the petitioner no.1 surrenders before the court below within a period of four weeks from today, the court below will pass an order on its own merit without being prejudiced by the order passed by this Court.

(Shivaji Pandey, J)

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