

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67796 of 2018

Arising Out of PS. Case No.-51 Year-2018 Thana- KONCH District- Gaya

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1. Bhagwat Paswan, Son of Late Butu Paswan.
 2. Santosh Paswan, Son of Brijnandan Paswan.
 3. Ranvir Kumar, Son of Madhusudan Paswan.
 4. Ravi Kumar, Son of Jhaman Paswan @ Aman Paswan,
- All are resident of Village- Khajuri, Police Station- Konch, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-12-2018 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 147,148,149, 307,323,324,326,341,504 and 506 of the Indian Penal Code.

The prosecution case got initiated on the Fardbeyan of Bharat Das, recorded by S.I. Sunil Kumar Singh, Konch Police Station on 18.02.2018 at 6.30 P.M., to the effect that in the background of some quarrel between the children of both sides while playing cricket on 16.02.2018, 14 accused persons, including the petitioners, came variously armed near the house of Ajit Mukhiya, then co-accused, Lakshman Paswan assaulted



with Garasa on the head of the son of the informant, namely, Bigan Paswan, whereas, co-accused Aazad Paswan and Parmanand Paswan assaulted with sword and fasuli on the head of Gyan Chand Das. The informant also witnessed the occurrence.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general against the petitioners. It is further submitted that the specific accusation of assault is only against co-accused, Lakshman, Paswan, Parmanand Paswan and Aazad Paswan. Though, the learned Sessions Judge after going through the case diary, has not mentioned in the impugned order that any injury has been found to be grievous. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioners are named in the FIR.

Considering the fact that specific accusation of assault has not been levelled against the petitioners, the nature of injury caused, coupled with 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 or surrender before the



learned Court below within a period of 12 weeks from today, 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 ACJM-III, Gaya, in connection with Konch P.S. Case
No.51 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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