

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.148 of 2019

Arising Out of PS. Case No.-175 Year-2018 Thana- PAKRIDAYAL District- East Champaran

1. Saroj Paswan S/o Dhura Paswan,
2. Sheokali Devi W/o Binod paswan,
3. Raja Kumar S/o Binod Paswan, All of village- Parsa, P.S.- Pakaridayal, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliar

For the Opposite Party/s : Mr.Sri Nityanand

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 10-01-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Pakaridayal P.S. Case No. 175 of 2018, G.R. Case No. 6405 of 2018 registered for offence punishable under section 341, 323, 315, 307, 504 and 506/34 of the Indian Penal Code.

As per F.I.R., it has been alleged that three persons entered into the house and assaulted the informant and his father and wife. The specific allegation has been made against Saroj Paswan to have caused injury on the belly of a pregnant wife which led to miscarriage of pregnancy.

The learned counsel for the petitioners submits that the doctor has found the death as pneumonia which cannot be caused by the physical assault and it is an internal reaction.



If any injury will be received by the mother certainly it will react internally. As there is a direct allegation against Saroj Paswan, his prayer for bail is rejected.

So far prayer for bail of petitioner nos. 2 and 3 is concerned, there is no specific allegation against them, as such their prayer for bail is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/-each with two sureties of the like amount each to the satisfaction of 5th Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with Pakaridayal P.S. Case No. 175 of 2018, G.R. Case No. 6405 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Shivaji Pandey, J)

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