

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10383 of 2019

Arising Out of PS. Case No.-42 Year-2018 Thana- RAMPUR CHAURAM District-
Jehanabad

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1. Babun Paswan, Son of Ram Swaroop Paswan, Resident of Village- Aunkopur, Police Station- Rampur Chauram in the District of Arwal.
 2. Niraj Paswan, Son of Babun Paswan, resident of Village- Aunkopur, Police Station- Rampur Chauram in the district of Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-02-2019 Heard learned counsels for the petitioners and the
State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341,323, 307 and 504 of the IPC.

The prosecution case, as per the written report of Mithilesh Ram, dated 11.09.2018, submitted to the Station House Officer, Rampur Chauram Police Station, is to the effect that on the same day at 7.30 P.M., the informant was chiding his sister, for which, wife of Sujit Paswan made protest, leading to hot exchange of words between the parties, in the meantime, all the nine FIR named accused persons including the petitioners came



and started assaulting the informant and when the informant's father, mother, aunt and cousin came to rescue him, they were also assaulted.

It is submitted by learned counsel for the petitioners that for a petty dispute, the accusation has been levelled against the petitioners. There is counter version of the occurrence also being Rampur Chauram P.S. Case No. 41 of 2018. It is further submitted that though the informant has received four injuries, but only one injury on the right wrist of the informant has been found grievous, when the accusation of assault against the petitioners is omnibus and general. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP for the State submits that the petitioners are named in the FIR with specific accusation and the informant has received four injuries, out of which, one injury has been found grievous.

Considering the accusation of assault against the petitioners being omnibus and general, coupled with the 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/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 like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Arwal in connection with Rampur Chauram P.S. Case No. 42 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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