

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1777 of 2019

Arising Out of PS. Case No.-412 Year-2018 Thana- KUDRA District- Bhabhua (Kaimur)

1. Guddu Paswan, son of Babban Ram
2. Jitendra Paswan, son of Babban Ram
3. Triveni Ram, son of late Kanhai Paswan
4. Sudhir Paswan, son of Triveni Ram
5. Subash Paswan, son of Triveni Ram
6. Sanjay Paswan, son of Ganga Paswan
All are resident of Vilalge-Mathachak, P.S.-Kudra, District Kaimur at Bhabhua

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-01-2019 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
147,148,149,323,324,325,338,307,379,448,427,504,506 of the
Indian Penal Code and Section 27 of the Arms Act.

The prosecution case got initiated on the basis of written
report dated 22.09.2018 submitted by Sandeep Kumar to the
Station House Officer, Kudra Police Station to the effect that on
20.09.2018 the brother of the informant Prakash Bind went to
the market with his bicycle, but mistakenly he returned on
another bicycle. Subsequently, co-accused, Mahendra Paswan,



the bicycle owner along with other accused persons came at the house of Prakash Bind and assaulted him with fists, whereas his son Krishna Paswan abused Prakash Bind. It is further alleged that accused persons and co-accused Krishna Paswan again assaulted Prakash Bind, causing head injury. Co-accused, Krishna Paswan also assaulted the informant with belt. On the same day, at 9.00 P.M., the accused persons, fifty in number, came on a tempo and 10-12 motorcycles, being variously armed and assaulted many persons of village Mathachak.

It is submitted by learned counsel for the petitioners that 35 persons are named in the FIR. The accusation is omnibus and general. Though five persons are alleged to have received injury in the FIR, but the injury report of only two persons namely Dhanbarti Devi and Ganpat Bind is on record. There is no accusation of repeating the blow. The petitioners' side at earlier point of time lodged Kudra P.S. Case No. 411 of 2018 against the informant side. 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 accusation being omnibus and



general, 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 CJM, Kaimur at Bhabua in connection with Kudra P.S. Case No.412 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

