

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13060 of 2019

Arising Out of PS. Case No.-228 Year-2018 Thana- RAJAPAKAR District- Vaishali

SURENDRA PASWAN, Gender Male, aged about 55 years, Son of Late Yugeswar Paswan Resident of Village - Banbira, P.S.- Rajapakar in the district of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-03-2019

Heard both sides.

The petitioner apprehends his arrest in Rajapakar P.S. Case No.228 of 2018 registered under Section 307 and other Sections of the Indian Penal Code.

The informant alleged that on 23.12.2018 at about 5.00 P.M., petitioner had kept thorns on the road leading to the house of the informant. When the informant asked to remove the thorns, Birajiya Devi, wife of Surendra Paswan(the petitioner), Puja Kumari, Vikash Paswan and Nitesh Paswan, daughter and sons of Surendra Paswan abused and assaulted the informant. When the mother-in-law of the informant came, Nitesh, Birajiya and Vikash assaulted with iron rod. Petitioner assaulted the informant with sword on her head.

The learned counsel for the petitioner submits that on account of petty dispute, some verbal altercation took place and both sides entered into scuffle. Petitioner is alleged to have assaulted the informant with sword but from perusal of the



injury report(Annexure-2), it would appear that informant got one lacerated wound over right frontal scalp and one oedema over right forearm which are simple in nature caused by hard and blunt object. It is alleged to have assaulted with sharp edge weapon like sword but no injury is found to have caused by sharp edge weapon.

Having considered the facts and nature of allegation made against the petitioner and the fact that the petitioner is alleged to have assaulted with sword but the injury found on the person of the informant is simple and caused by hard and blunt object, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Rajapakar P.S. Case No.228 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Saurabh/-

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(Prabhat Kumar Jha, J)

