

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 18659 of 2019

Arising Out of PS. Case No.-151 Year-2018 Thana- KOTWA District- East Champaran

1. Nagina Paswan, Son of Late Bhorik Paswan, Resident of Village- Karariya, Fateh Tola, P.S.- Kotwa, Distt - East Champaran.
2. Dhurendra Paswan, Son of Nagina Paswan, Resident of Village- Karariya, Fateh Tola, P.S.- Kotwa, Distt - East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 22-05-2019 Heard learned counsel for the petitioners and the learned counsel appearing on behalf of the State.

The petitioners Nagina Paswan and Dhurendra Paswan are apprehending their arrest in connection with Kotwa P.S. Case No.151 of 2018 for allegedly having committed the offence under Sections 147, 148, 149, 341, 323, 324, 325, 307, 354(B), 379 and 302 of the Indian Penal Code.

Learned counsel for the petitioners submits that though there is allegation of these petitioners of having attacked one Arjun Paswan and Dharmendra Paswan, the injuries purported to have been inflicted, as is evident from the case diary, are simple in nature and do not match with the allegations, which have been stated in the FIR itself, raising a distinct cloud on the



prosecution story. Learned counsel for the petitioners further submits that the entire case is exaggerated and these petitioners are having no criminal antecedents.

Case diary in the present case was called for, which has since been received.

After perusal of the case diary, learned counsel for the State submits that save and except suspicion, as made out in the FIR, which do not stand corroborated in the case diary, there is no further allegation against the present petitioners.

In view of the aforementioned facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari, in connection with Kotwa P.S. Case No.151 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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