

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22103 of 2019

Arising Out of PS. Case No.-166 Year-2018 Thana- SARAI RANJAN District- Samastipur

1. SHANKAR PASWAN S/o Debu Paswan Resident of Village- Akhtiyarpur, P.S.- Sarairanjan, District- Samastipur.
2. Manoj Paswan S/o Parmeshwar Paswan Resident of Village- Akhtiyarpur, P.S.- Sarairanjan, District- Samastipur.
3. Dharmendra Paswan S/o Late Mantu Paswan Resident of Village- Akhtiyarpur, P.S.- Sarairanjan, District- Samastipur.
4. Vikash Paswan S/o Ganesh Paswan Resident of Village- Akhtiyarpur, P.S.- Sarairanjan, District- Samastipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Narendra Kumar Mishra
For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-04-2019 Heard learned counsel for the parties.

Petitioner No.3, namely, Dharmendra Paswan, has been arrested during the pendency of this application as stated on behalf of the Petitioners.

This application to the extent it relates to petitioner No.3 stands dismissed as having become infructuous.

This application for anticipatory bail arises out of Sarairanjan P.S. Case No. 166 of 2018 for the offence under Sections 147, 148, 149, 323, 324, 379, 307, 384 and 448 of the Indian Penal Code.

It is evident from the materials on record that for



the same occurrence two cases have been registered by both sides in respect of the same scuffle/fight between the parties.

Learned counsel appearing on behalf of the petitioners submits that the injuries have been found to be simple and Section 307 of the Indian Penal Code has been incorporated only for the purpose of attaching seriousness to the offence alleged.

The petitioners have no criminal antecedent as stated in paragraph 3 of this application.

Considering the above, this application is allowed.

Let the petitioners No. 1, 2 and 4, above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail 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 A.C.J.M.-6th, Samastipur, in Sarairanjan P.S. Case No. 166 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions,



their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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