

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20364 of 2019

Arising Out of PS. Case No.-221 Year-2018 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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1. Satyendra Paswan, Male, aged about 45 Years, Son of Late Nathuni Paswan, Resident of Village - Paharia, P.S.- Bhagwanpur, Distt – Kaimur.
 2. Angad Paswan, Male, aged about 25 Years, Son of Satyendra Paswan, Resident of Village - Paharia, P.S.- Bhagwanpur, Distt – Kaimur.
 3. Sugreev Paswan, Male, aged about 30, Son of Satyendra Paswan, Resident of Village - Paharia, P.S.- Bhagwanpur, Distt – Kaimur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Lallan Pandey, Advocate.
For the Opposite Party : Mr.Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-04-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are languishing in custody since 22.11.2018 in a case for the offence registered under Sections 341, 323, 307, 504, 354(B)/34 of the IPC, 37(i)(ii) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that on 21.12.18 at about 6.00 hours evening the informant was in his house. In the meantime, these petitioners lashed with Lathi-Danta came there and speaks filthy language and on protest they were brutally assaulted him which he received head injury and he was fell



down on the earth then Sugriv Paswan and his brother Angad Paswan with bad intention pulled the Saree of his wife. Thereafter Satyendra Paswan instigated the co-accused.

It has been submitted by learned counsel for the petitioners that the petitioner nos. 1 and 2 have got no criminal antecedent. Charge sheet/prosecution report has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. It is alleged that the petitioner no. 3 is said to have been apprehended in drunken state. There is no breath analyzer test on record. The petitioner nos. 1 and 2 have been made accused in the present case as they happen to be the father and the brother of petitioner no. 3. They have been made accused in the present case due to mistake of fact.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioners above named, 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 Special Judge, Excise, Kaimur at Bhabua, in connection with Excise Case No. 1089 of 2018, corresponding to Bhagwanpur P.S. Case



No. 221 of 2018.

(Sudhir Singh, J)

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