

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23909 of 2019

Arising Out of PS. Case No.-304 Year-2018 Thana- BAKHARI District- Begusarai

1. PANKAJ PASWAN S/o Vijay Paswan Resident of Bishanpur, P.S.- Bakhri, District- Begusarai.
2. Mithun Paswan @ Mithul Paswan S/o Vijay Paswan Resident of Bishanpur, P.S.- Bakhri, District- Begusarai.
3. Babloo Paswan @ Bablu Paswan S/o Bikhu Paswan @ Bikhoo Paswan @ Bhikho Paswan Resident of Bishanpur, P.S.- Bakhri, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal
For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 17-07-2019 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bakhri P.S. Case No. 304 of 2018, registered for the offences punishable under Sections 341, 323, 324, 325, 307, 354 (B), 504,506 and 34 of the Indian Penal Code.

Over making complaint regarding forcefully felling crop of the informant, fifteen accused persons including the petitioners surrounded the informant and the petitioners shoved her on the ground and tore her attire. When her husband rushed in her rescue petitioner Pankaj Paswan assaulted him by means



of butt of pistol while petitioner Babloo Paswan assaulted him by means of Katta and when her Bhaisur rushed in his rescue petitioner Mithun Kumar assaulted him by means of knife.

It is submitted by the learned counsel for the petitioners that no such occurrence as alleged ever took place. They have been falsely implicated in the case due to land dispute. Allegation of shoving the informant on the ground and tearing her attire levelled against the petitioners is not specific rather general and omnibus in nature. The petitioners are said to have assaulted the husband and *Bhaisur* of the informant by means of sharp edged weapons but police has found only two simple injuries on the person of her husband and one simple injury on the person of her *Bhaisur* all caused by hard and blunt substance which rules out the case of informant. They have no criminal antecedent.

Learned A.P.P. for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail in the event of their arrest or surrender before the learned Court below within a period of four weeks from today on furnishing bail



bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V, Begusarai in connection with Bakhri P.S. Case No. 304 of 2018, subject to condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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