

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28558 of 2019

Arising Out of PS. Case No.-118 Year-2016 Thana- BAUSI District- Araria

DEVANAND PASWAN Son of Late Munnar Paswan Resident of Village -
Bounsi, Araria Tola, P.S.- Bounsi, Distt – Araria..... Petitioner/s
Versus

The State of Bihar..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam
For the Opposite Party/s : Mr.Satyendra Prasad

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 06-05-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bounsi P.S. Case No. 118 of 2016 for the offences punishable under Sections 147, 149, 447, 341, 323, 324, 325, 379, 307, 435, 427, 504, 506 of the Indian Penal Code.

The petitioner is said to have assaulted on the neck of the informant by means of Farsa inflicting injury on his neck and damaged the fence and set ablaze the house of the informant along with other co-accused persons.

Learned counsel for the petitioner submitted that no such occurrence as alleged ever took place. Petitioner has been falsely implicated in this case. Allegation of damaging the fence and torching the house of the informant alleged against the petitioner is not specific rather general and omnibus in nature.



So far as allegation of assaulting on the neck of informant by means of Farsa inflicting injury on his neck is concerned, the doctor, examining the informant has not found any such injury on his neck rather a scratch mark on the right of the upper chest near clavicle caused by hard and blunt substance. Though, the opinion is reserved on 23.10.2016 but no supplementary injury report has been brought on record by the prosecution even after passing away of six months. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released 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) with two sureties of the like amount each to the satisfaction of Sri Mithlesh Kumar, J.M. 1st Class, Araria, in connection with Bounsi P.S. Case No. 118 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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