IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28824 of 2019

Arising Out of PS. Case No.-42 Year-2018 Thana- UPHARA District- Aurangabad

==========

1. DILIP PASWAN Son of Bal Kumar Prasad @ Bal Kumar Paswan, Resident of village- Hamid Nagar, Police Station- Uphara, District- Aurangabad.
2. Ravi Paswan Son of Dilip Paswan Resident of village- Hamid Nagar, Police Station- Uphara, District- Aurangabad.
3. Bal Kumar Paswan @ Bal Kumar Prasad Son of Late Sitaram Paswan Resident of village- Hamid Nagar, Police Station- Uphara, District- Aurangabad.
4. Rambali Paswan Son of Late Pokhan Paswan Resident of village- Hamid Nagar, Police Station- Uphara, District- Aurangabad.
5. Rajnish Paswan, Son of Dilip Paswan Resident of village- Hamid Nagar, Police Station- Uphara, District- Aurangabad.
6. Rohan Paswan, Son of Late Pokhan Paswan Resident of village- Hamid Nagar, Police Station- Uphara, District- Aurangabad.
7. Kamlesh Paswan @ Satish Paswan Son of Rambali Paswan Resident of village- Hamid Nagar, Police Station- Uphara, District- Aurangabad.
8. Smt. Kiranti Devi Wife of Dilip Paswan, Resident of village- Hamid Nagar, Police Station- Uphara, District- Aurangabad.
9. Sunita Devi Wife of Kamlesh Paswan Resident of village- Hamid Nagar, Police Station- Uphara, District- Aurangabad.
10. Amit Kumar Son of Rohan Paswan Resident of village- Hamid Nagar, Police Station- Uphara, District- Aurangabad.

... ... Petitioner/s

Versus

THE STATE OF BIHAR

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Ishrat Bano

==========

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 01-05-2019 Heard both sides.

The petitioners apprehend their arrest in Uphara P.S. case No. 42 of 2018 registered under Section 341, 323, 457, 380, 436, 511, 427, 504, 506, 34 of the IPC.

WEB COPY

The informant alleged that on 01.10.2018 while he came to his house after irrigating the field, son of Dilip Paswan, petitioner No.1, came and started searching his son. Thereafter, Dilip Paswan, Kamlesh Paswan and all his family members, having armed with fire arms and other weapons, entered into his house. They broke the different articles of the house and took away Rs. 20,000/- from the bed. They also sprinkled patrol and ignited the fire.

The learned counsel for the petitioners submits that according to informant the occurrence took place on 01.10.2018 at about 9 in the night but the informant gave his written petition on 09.10.2018 on the basis of which the present FIR was lodged on 09.10.2018 itself. It is submitted that Bal Kumar Prasad lodged a case with regard to occurrence dated 01.10.2018 on 02.10.2018 and on his fard bayan Uphara P.S. case No. 40 of 2018 was registered against Anil Kumar Gupta, the informant of present case, and others. The informant alleged that Anil Kumar Gupta and others assaulted his grand son, Ravi Kumar Kaushik, and also took away different articles from his house.

Taking into consideration the facts that the informant lodged the case on 09.10.2018 with regard to the occurrence which has taken place on 01.10.2018 whereas from the side of

WEB COPY

petitioners Uphara P.S. case No. 40 of 2018 was lodged against the informant and others for assaulting the son of petitioner No.1 and for taking away different articles from his house, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Daudnagar, Aurangabad in connection with Uphara P.S. case No. 42 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/-

U		T	

WEB COPY