

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35431 of 2019

Arising Out of PS. Case No.-335 Year-2012 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. GANESHI PASWAN Son of Late Bishundeo Paswan Resident of Village - Mohanpur, P.S.- Samastipur (Muffasil), Distt - Samastipur.
 2. Pappu Paswan Son of Shankar Paswan Resident of Village - Mohanpur, P.S.- Samastipur (Muffasil), Distt - Samastipur.

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Choudhary Shyam Nandan, Advocate

For the Opposite Party : Mr.Satya Nand Shukla, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-05-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 323/324/354/34/349 and other allied sections of the Indian Penal Code.

The prosecution case, in short, is that the petitioners on 17.9.2012 entered into the house of the informant at midnight, thereafter petitioner no.1 made failed attempt to outrage her modesty. Again, on 18.9.2012 the accused persons including the petitioners armed with lathi and knife came to her house and threatened her not to make the complain in the Panchayat. On protest, petitioner no.2 gave knife blow on the neck of the informant but she escaped, though she received



injury on her nose.

It has been submitted on behalf of the petitioners that the petitioner no. 1 is own Dewar of the complainant, whereas petitioner no.2 is her grand son. There is land dispute between the parties for which panchayati was also held. It is further submitted that the parties have amicably settled the dispute. Petitioners have no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate V, Samastipur in Samastipur (M) Police Station Case No. 335 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure

(Prabhat Kumar Singh, J)

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