

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34850 of 2019

Arising Out of PS. Case No.-190 Year-2018 Thana- BIBHUTIPUR District- Samastipur

HEMANT PASWAN @ HEMANT KUMAR Son of Kamaldev Paswan
Resident of Village-Surauli, P.S.-Vibhutipur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Sahay
For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-08-2019 This application, for grant of anticipatory bail, arises out of Bibhutipur P.S. Case No. 190 of 2018 , disclosing offences under Sections 307, 323, 324, 341, 448, 504/34 of the Indian Penal Code.

Allegation as per F.I.R. is that several accused persons came variously armed and stopped the tractor of the petitioner and started abusing and assaulting him and specific allegation against this petitioner is that he assaulted him by means of Paghariya causing injury to him.

Submission of learned counsel for the petitioner is that no case under Section 307 of the Indian Penal Code is made out against the petitioner, as there is no repetition of blow as the occurrence took place in the spur of moment and although, there is allegation against petitioner of having inflicted Paghariya



blow but the injury sustained by the informant was found simple in nature.

Heard learned A.P.P. as well as learned counsel for the informant. They have opposed the prayer for anticipatory bail.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -I, Rosera, Samastipur, in connection with Bibhutipur P.S. Case No. 190 of 2018 , subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

sunilkumar/-

U		T	
---	--	---	--

