

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38032 of 2019

Arising Out of PS. Case No.-1230 Year-2018 Thana- SASARAM NAGAR District- Rohtas

UGRAH PASWAN @ UGARH PASWAN S/o of Late Radha Paswan R/o
village- Songawan, P.S.- Darigaon, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has prayed for grant of bail in connection with Sasaram (T) P.S.Case No.1230 of 2018 registered for offence under Sections 147, 148, 149, 341, 323, 324, 325, 379, 448 and 307 of the Indian Penal Code.

The allegation as per the F.I.R. is that on account of grazing of buffalo in the field an altercation took place in which the petitioner and others are said to have assaulted the informant and his other family members.

It is submitted by learned counsel for the petitioner that the allegation as per the F.I.R. is not correct. There is a case and counter case and it was the petitioner himself who lodged



the case (F.I.R. of which is Annexure-2 to the application) against the informant of the present case for the offence under Sections 323, 341 and other sections of the Indian Penal Code and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. It is further submitted that so far as the petitioner is concerned, the allegations leveled against him are of having assaulted with lathi and the injuries attributed to him have been found to be simple in nature. Petitioner is in custody since 10.03.2019. It is further submitted that from the order of the learned Sessions Judge it would transpire that it is the injury reports of Raj Muni Kuer and Ramesh Yadav which shows their injuries as grievous in nature and so far as the petitioner herein is concerned, he is not alleged to have assaulted either Raj Muni Kuer or Ramesh Yadav.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner stating that there is allegation against the petitioner of having assaulted several persons.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case specially the fact that there is a case and counter case, the petitioner is not alleged to have assaulted Raj Muni Kuer or Ramesh Yadav who are said to have sustained grievous injury



and he is in custody since 10.03.2019, the Court is inclined to enlarge the petitioner on bail. The petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the C.J.M., Rohtas at Sasaram, in Sasaram (T) (Darigaon) P.S.Case No.1230 of 2018.

(Partha Sarthy, J)

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