

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42575 of 2019

Arising Out of PS. Case No.-249 Year-2019 Thana- LAKHISARAI District- Lakhisarai

1. Bikaram Kumar @ Bikam Kumar Son of Dinesh Paswan, Resident of Village - Dharmaray Chak, P.S.- Lakhisarai, Distt - Lakhisarai.
2. Murari Paswan Son of Garib Paswan @ Garib Saw, Resident of Village - Dharmaray Chak, P.S.- Lakhisarai, Distt - Lakhisarai.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 01-10-2019 Heard learned counsel for the petitioners. No one appears on behalf of the State.

Petitioners in the present case are seeking anticipatory bail in connection with Lakhisarai P.S. Case No. 249 of 2019 registered for the offences punishable under Sections 341, 323, 354(B), 307, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that there is a case and counter case between the parties as they are fighting over a land dispute. It is further submitted that so far as petitioner no. 1 is concerned, it is alleged that he had assaulted the informant and his son on their head causing injuries,



however, as regards petitioner no. 2 there is no allegation of causing assault.

In this case earlier the case diary was called for. On perusal of the case diary it appears that the allegation of causing assault is against co-accused Dinesh Paswan and his son Bikaram Kumar @ Bikam Kumar (Petitioner No. 1), so far as the petitioner no. 2 namely Murari Paswan is concerned there is no specific allegation for causing assault.

In the given facts and circumstances of the case, while the prayer for grant of anticipatory bail on behalf of petitioner no. 1 is refused and the same stands rejected, the prayer for anticipatory bail on behalf of petitioner no. 2 is allowed, let the petitioner no. 2 in the event of his arrest or surrender within a period of four weeks from today be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S. Case No. 249 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;



(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

vats/ved

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

