

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40787 of 2019

Arising Out of PS. Case No.-51 Year-2019 Thana- SAKRI District- Madhubani

1. LAL BABU PASWAN Son of Premlal Paswan Resident of Village - Kanakpur, P.S.- Sakri, Distt - Madhubani.
2. Binod Paswan Son of Ram Avtar Paswan Resident of Village - Kanakpur, P.S.- Sakri, Distt - Madhubani.
3. Sharvan Kumar Paswan @ Bablu Paswan Son of Sheetal Paswan Resident of Village - Kanakpur, P.S.- Sakri, Distt - Madhubani.
4. Pawan Paswan Son of Sheetal Paswan Resident of Village - Kanakpur, P.S.- Sakri, Distt - Madhubani.
5. Mahesh Paswan Son of Ram Sogarth Paswan Resident of Village - Kanakpur, P.S.- Sakri, Distt - Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kripa Nand Jha
For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-07-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Sakri Police Station Case No. 51 of 2019, disclosing offences under Sections 341/323/324/307/354/379/385/34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners intercepted the informant and demanded a sum of Rs. 1500/- as donation and upon refusal, the informant was



assaulted by the accused persons by farsha and in that process, they also took away valuables from the possession of the wife of the informant.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated inasmuch as both the parties are neighbours and the allegation against them is of inflicting garasa blow on the person of the informant, but from perusal of the injury report (Annexure-2), it would be evident that the injury caused to the informant is simple in nature caused by hard and blunt substance and there is no indication of any sharp cutting injury on the person of the informant.

After having heard learned Counsel for the parties and upon perusal of Annexure-2, it transpire that the injury report does not corroborate with the allegation levelled against the petitioners in the First Information Report and it appears that the injury is simple in nature.

Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani, in



connection with Sakri Police Station Case No. 51 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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