

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47677 of 2019

Arising Out of PS. Case No.-93 Year-2019 Thana- DARBHANGA SADAR District-
Darbhanga

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1. MURARI PASWAN Son of Late Jhingar Paswan Resident of Mohalla-Bandh Basti, P.S.- Sadar (Mabbi O.P.), District- Darbhanga.
 2. Baljeet Paswan @ Baljeet Kumar Paswan Son of Triloki Paswan Resident of Mohalla- Bandh Basti, P.S.- Sadar (Mabbi O.P.), District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sameer Ranjan

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 31-07-2019 Mr. Sameer Ranjan, the learned counsel for the petitioners, submits that petitioner No.2, Baljeet Paswan @ Baljeet Kumar Paswan, died in an accident and, therefore, his anticipatory bail petition has become infructuous.

Accordingly, anticipatory bail petition of petitioner No.2, Baljeet Paswan @ Baljeet Kumar Paswan, is dismissed as has become infructuous.

Heard both sides.

The petitioner No.1, Murari Paswan, apprehends his arrest in Darbhanga Sadar (Mabi O.P.) P.S. case No. 93 of 2019 registered under Section 324, 307 and other minor Sections of the IPC.

The informant named the petitioner along with other accused persons and alleged that they all came with different weapons and Rohit assaulted her with Dabia on her head. When her son, Naresh Paswan, came to save petitioner No.1, Murari Paswan, is said to have tied towel around his neck and Baljeet



Paswan assaulted Naresh Paswan with brick on his head.

It is submitted that no injury was found on the person of Naresh Paswan. The petitioner No.1 is not the assailant of informant. The informant received simple injury on account of assault made by Rohit.

Considering the facts aforesaid and nature of allegation made against the petitioner No.1 and the fact that there is no allegation of assault against the petitioner No.1, the petitioner No.1, Murari Paswan, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Darbhanga Sadar (Mabi O.P.) P.S. case No. 93 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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