

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43345 of 2019

Arising Out of PS. Case No.-149 Year-2019 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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Dina Paswan S/o Late Saryug Paswan R/o village- Homeless Chowk Khabra
Road, P.S.- Kazimohamdpur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Kumari Sujata Sinha

For the Opposite Party/s : Mrs. Dr. Indihar Kumari

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 05-09-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Kazimohammadpur P.S. Case no. 149 of 2019, registered
under Sections 147, 149, 341, 323, 354 A, 354 B, 308 & 379 of
the Indian Penal Code.

Nine named accused persons including the
petitioner armed with iron rod, lathi etc. intruded into the house
of the informant and assaulted her husband by means of lathi
and petitioner Dina Paswan assaulted her husband by means of
rod inflicting head injury to him. When she rushed in his rescue
they tried to outrage her modesty by stripping her attire and
looted away the house hold articles over land dispute.

It is submitted by learned counsel for the petitioner



that no such occurrence as alleged ever took place. The petitioner is quite innocent and has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is case and counter case between the parties. Petitioner is said to have assaulted on the head of the husband of the informant by means of iron rod but the doctor has not found any injury on the head of the informant rather simple injuries on the chest and knee of the victim. The aforesaid injury report rules out the prosecution case. There is admitted land dispute between the parties. The allegation of theft levelled against the petitioner is super addition. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st Muzaffarpur in connection with Kazimohammadpur P.S. Case No.149 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Prakash Chandra Jaiswal, J)

