

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44588 of 2019

Arising Out of PS. Case No.-42 Year-2019 Thana- RISIYAP District- Aurangabad

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1. SHEOPRASAD PASWAN Son of Late Ramsaran Paswan
 2. Lakhan Paswan Son of Ram Sharan Paswan
 3. Munna Paswan Son of Lakhan Paswan
 4. Ranjit Paswan Son of Lakhan Paswan
 5. Santosh Paswan Son of Suresh Paswan
 6. Suresh Paswan Son of Ram Sharan Paswan
- All are resident of Village- Aazad Bigha, P.S.- Risiup, District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rupa Kumari
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 30-09-2019 Heard both sides.

The petitioners apprehend their arrest in Risiup P.S. Case No.42 of 2019 registered under Sections 147, 148, 149, 341, 323, 307, 504, 506 of the Indian Penal Code.

The informant alleged that while he was returning to his house from the house of his uncle after attending Tilak Ceremony, Santosh Paswan interrupted him and the informant fell down on the ground. On protest, Santosh Paswan assaulted the informant with iron rod on his head. When Umesh Paswan, the uncle of the informant came to save, Ranjit Paswan, Munna Paswan and Gopal Paswan assaulted his uncle and thereafter Suresh Paswan assaulted the sister of the informant.

The learned counsel for the petitioners submits that informant(Chotu Paswan) got two lacerated wounds which are



superficial and simple in nature. Umesh Paswan(uncle of the informant) and sister of the informant did not receive any injury nor they were treated in a hospital. The case diary was called for but the case diary does not contain the injury report of Umesh Paswan(uncle of the informant) and sister of the informant. There is a counter version being Risiup P.S. Case No.41 of 2019. Ranjit Paswan and Suresh Paswan also got injuries.

Taking into consideration the fact that there is a case and counter case and there appears that both sides entangled with each other and made mutual assault on each other in which both sides received injuries, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 5th, Aurangabad in connection with Risiup P.S. Case No.42 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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