

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44996 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- TISIAUTA District- Vaishali

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1. SONU PASWAN Son of Fulan Paswan Resident of Village- Pausad Mohammadpur, P.S.- Tisiauta, District- Vaishali.
 2. Mahendra Paswan Son of Late Mangal Paswan Resident of Village- Pausad Mohammadpur, P.S.- Tisiauta, District- Vaishali.
 3. Ganesh Paswan Son of Lalan Paswan Resident of Village- Pausad Mohammadpur, P.S.- Tisiauta, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-07-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Tisiauta Police Station Case No. 23 of 2019, disclosing offences under Sections 341/323/307/427/436/504/506/34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners, along with other co-accused persons, assaulted the informant and others, causing injuries to 3-4 persons, including the informant.

Learned Counsel for the petitioners submits that the



allegation against the petitioner no. 1 is of order-giver, there is no specific allegation against the petitioner no. 2 and so far as petitioner no. 3 is concerned, the allegation is of assault with *garasa*, but from perusal of the impugned order, it appears that lacerated, bruise and abrasions have been found on the person of the informant. He further submits that both the parties are agnates and reside in the same village and on the basis of the suspicion that the petitioners have set the house of the informant on fire, a scuffle took place between them. He further submits that from perusal of the impugned order, it appears that injuries caused to the informant, allegedly by petitioner no. 3, do not corroborate the allegation made in the First Information Report.

After having heard learned Counsel for the parties and taking into consideration the fact that the parties are agnates and there is no serious injury caused to the informant, 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 Additional Chief Judicial Magistrate, Vaishali, at Hajipur, in connection with Tisiauta Police Station



Case No. 23 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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