

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.45441 of 2019

Arising Out of PS. Case No.-240 Year-2019 Thana- BIHARSHARIF District- Nalanda

1. SANJAY PASWAN, aged about 50 years, Male, Son of Sadhu @ Jagdish Paswan, Resident of Village- Paharpura, P.S.- Bihar, District- Nalanda
 2. Pappu Paswan, aged about 30 years, Male, Son of Ramprit Paswan, Resident of Village-Paharpura, P.S.- Bihar, District- Nalanda
 3. Dara Paswan @ Dare Paswan, aged about 32 years, Male, Son of Ramuchit Paswan, Resident of Village-Paharpura, P.S.- Bihar, District- Nalanda
- ... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Parmanand Prasad, Adv.

For the Opposite Party : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 23-07-2019

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Bihar P.S. Case No. 240 of 2019 for the offences alleged under Sections 447, 448, 341, 323, 307, 384, 379, 504 and 34 of the Indian Penal Code.

The accusation is that petitioners, along with Satyendra Pandit, having iron rod, danda in their hands entered in the house of informant searching Akhilesh Choudhary, the brother of the informant, and started to abuse. When informant, Pappu Choudhary, made protest all started to cause assault. At that time petitioner no. 1, Sanjay Paswan, gave iron rod blow at his head, due to which oozing of blood started from the nose and swelling also appeared on his head. When Sateyanda Choudhary, father of the informant rushed there, he was also assaulted. At that time petitioner no. 1, Sanjay Paswan, took the cloth and cash of Rs.22,000/- opening the attache of Akhilesh Choudhary, the brother of the informant.



Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having considered the facts and circumstances of the case, let the petitioners 2 and 3, namely, Pappu Paswan and Dara Paswan @ Dare Paswan, in the event of surrender/arrest, within a period of four weeks from today, in connection with Bihar P.S. Case No. 240 of 2019 shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at Biharsharif, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

Taking into consideration the nature of allegation made against petitioner no. 1, Sanjay Paswan, his prayer for pre-arrest bail is rejected. He is directed to surrender before the trial Court and seek regular bail, which will be considered on its own merit without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

Shamshad/-

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