

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48278 of 2019

Arising Out of PS. Case No.-64 Year-2019 Thana- CHHABILAPUR District- Nalanda

1. KAUSHAL PASWAN Son of Lalan Paswan Resident of Village - Nekpur, P.S.- Chhabilapur, Distt - Nalanda.
2. Savitri Devi Wife of Lalan Paswan Resident of Village - Nekpur, P.S.- Chhabilapur, Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Rajeev Nayan (App

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-08-2019 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,307,354B and 379/34 of the IPC.

The prosecution case as per the written report of Ashok Paswan submitted to the SHO, Chhabilapur Police Station is to the effect that on 15.5.2019 at about 6.00 A.M. the children of both sides fought and due to that on 16.5.2019, four accused persons including the petitioners came variously armed and attacked the informant. It is specifically alleged that co-accused Lalan Paswan and Raushan Paswan assaulted the informant with Khanti and iron rod respectively whereas other



accused persons assaulted with lathi and danda. It is further alleged that when the wife of the informant came to rescue, she was also assaulted and petitioner no. 2 Savitri Devi snatched her gold chain and ear ring.

It is submitted by learned counsel for the petitioners that the specific accusation of assault is against co-accused Lalan Paswan and Raushan Paswan, however, there is no injury report on record. It is further submitted that there is counter version of the occurrence being Chhabilapur P.S. Case No. 65 of 2019 registered with accusation under Sections 341,323,427,308,337,338,504 and 506/34 of the IPC. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR and there is specific accusation against them.

Considering the specific accusation of assault against co-accused Lalan Paswan and Raushan Paswan, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of



the like amount each to the satisfaction of the learned CJM,
Nalanda in connection with Chhabilapur P.S. Case No.64 of
2019 subject to the conditions laid down in Section 438(2) of
the Cr.P.C.

(Dinesh Kumar Singh, J)

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