

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46692 of 2019

Arising Out of PS. Case No.-51 Year-2019 Thana- LAURIA District- West Champaran

1. PRABHU PASWAN, aged about 50 years, male, Son of Ganesh Paswan
2. Mahendra Paswan @ Mahendar, aged about 20 years, male, Son of Ramlal Paswan
3. Ankur Paswan, aged about 25 years, male, Son of Prabhu Paswan
All are resident of Village - Ganauli, P.S.- Lauriya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-07-2019 Heard both sides.

The petitioners apprehend their arrest in Lauriya P.S.
Case No.51 of 2019 registered under Section 307 and other
Sections of the Indian Penal Code.

The informant named seven persons including three
petitioners, namely, Prabhu Paswan, Mahendra Paswan and
Ankur Paswan and alleged that they entered into the house and
assaulted the informant with farsa and fled away after taking
ornaments and other articles worth Rs.40,000/- from the house.

The learned counsel for the petitioners submits that
there is a land dispute between two sides. The informant did not



receive any injury. No injury report is on record. The case diary was called for but the learned Sessions Judge has not referred about the injury report in his order. It is submitted that omnibus and general allegation of assault is alleged against all the seven accused persons.

Taking into consideration the fact that of course there is general and omnibus allegation of assault against the petitioners but it appears that there is no specific allegation of assault is made against the petitioners and petitioners were not alleged to have armed with any weapon, 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. Ist Class, Bettiah, West Champaran in connection with Lauriya P.S. Case No.51 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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