

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47939 of 2019

Arising Out of PS. Case No.-32 Year-2019 Thana- CHARPOKHARI District- Bhojpur

1. DEWANTI DEVI, Wife of Jawahir Paswan, Resident of Village - Nagari, P.S.- Charpokhari, Distt.- Bhojpur.
2. Kashmira Devi, Wife of Jitendra Paswan, Resident of Village - Nagari, P.S.- Charpokhari, Distt.- Bhojpur.
3. Nirmal Paswan @ Nirmal Ram, Son of Late Chalisa Paswan, Resident of Village - Nagari, P.S.- Charpokhari, Distt.- Bhojpur.
4. Jawahir Paswan, Son of Panchlal Paswan, Resident of Village - Nagari, P.S.- Charpokhari, Distt.- Bhojpur.
5. Sani Deval Paswan, Son of Ram Dhanesh Paswan, Resident of Village - Nagari, P.S.- Charpokhari, Distt.- Bhojpur.
6. Shri Ram Paswan @ Shri Ram, Son of Late Jaga Paswan, Resident of Village - Nagari, P.S.- Charpokhari, Distt.- Bhojpur.
7. Madheshwar Paswan @ Madheshwar Ram, Son of Meghnath Paswan, Resident of Village - Nagari, P.S.- Charpokhari, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta
For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-08-2019 Heard learned Counsel for the petitioners and
learned APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 308, 379 and 34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report of Saroj Kumar Paswan submitted before the Station



House Officer, Charpokhri Police Station is to the effect that on 16.02.2019 at 08.30 P.M. due to a dispute with regard to flow of drainage, the accused persons including the petitioners abused and assaulted the informant. On protest being made, all the accused persons, including the petitioners came variously armed and assaulted the family members of the informant, as a result, the wife of the informant received head injury. It is further alleged that petitioner no.3, Nirmal Paswan threatened the life of the informant on point of the pistol whereas petitioner no.2, Jawahir Paswan and petitioner no.4 Kashmira Devi abused and assaulted the informant. It is further alleged that petitioner no.2, Jawahir Paswan snatched a gold chain worth Rs.30,000/- from the neck of the wife of the informant while co-accused Vikash Paswan snatched Rs.700/- from the pocket of the informant and a mobile phone.

It is submitted by learned counsel for the petitioners that the omnibus and general nature of accusation has been levelled in the FIR and the injury has been found simple. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioners are alleged to have assaulted the informant and his



family members.

Considering the nature of accusation and the material on record which do not suggest that any injury being caused to the informant's side, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, 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, Bhojpur at Ara in connection with Charpokhari P.S. Case No.32 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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