

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50979 of 2019**

Arising Out of PS. Case No.-105 Year-2019 Thana- SAHPUR District- Bhojpur

1. Muklesh Paswan @ Aman Kumar Paswan Son of Bhola Paswan
  2. Shatrughan Paswan Son of Bhola Paswan
  3. Bhikhari Paswan Son of Late Shree Paswan
- All are resident of Village - Madhopur, P.S.- Shahpur, Distt - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arun Kumar Pandey  
For the Opposite Party/s : Mr.Ram Anurag Singh

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      17-08-2019                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Shahpur (Karnamepur O.P.) P.S. Case No.105 of 2019 registered for offence punishable under sections 341, 323, 307, 504, 337/34 of the Indian Penal Code.

Allegation has been made that on 02.05.2019 at 6:00 A.M., the accused persons were putting their pillar which was objected by the informant whereupon Muklesh Paswan, Akhilesh Paswan, Satrugan Paswan and Pappu Paswan came with iron rod, abused and assaulted the informant by iron rod due to which he received injury over eyebrow and fell down on



the ground. On raising alarm, his uncle Ramraj Paswan and Niece Kajal Kumari came to rescue him whereupon the accused persons also caused injury to them by pelting stones, whereafter, Bhikhari Paswan came and assaulted by the butt of spade and lathi and caused injury to them. On hearing noise, villagers came and then they could save their life and were brought to hospital for treatment.

The learned counsel for the petitioners submits that the informant side are the aggressor in the civil suit and the trial Court and appellate Court have passed the order in favour of the petitioners, but they wrongly treated to be their own property and altercated with the present petitioners. It has further been said that petitioners side have also received injury.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-XIV, Bhojpur at Ara in connection with Shahpur (Karnamepur O.P.) P.S. Case No.105 of 2019, subject to the conditions as laid down under section 438 Cr. PC



and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. Whenever the Police will call the petitioners for the purpose of interrogation/investigation, they would present themselves, In case of failure to report to the police, the prosecution will have liberty to make a prayer for cancellation of their bail before the court below.

**(Shivaji Pandey, J)**

Mahesh/-

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