

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2380 of 2019

Arising Out of PS. Case No.-82 Year-2018 Thana- BISFI District- Madhubani

-
1. Ramchandra Paswan, Son of Khokhai Paswan, Resident of Vill-Chahura, P.S-Bisfi, Dist.-Madhubani.
 2. Saroj Paswan, Son of Ramchandra Paswan, Resident of Vill- Chahura, P.S-Bisfi, Dist.-Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Pandey

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-01-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 307, 332, 324, 327, 379, 353 and 504/511 of the IPC.

The prosecution case, as per the written report of S.I., Indal Yadav, dated 18.04.2018, submitted to the Station House Officer, Bisfi Police Station, is to the effect that on the same day at about 10 A.M., one Ram Sundari Devi reported at the police station that the petitioner no.1, Ram Chandra Paswan is making construction on her land, whereupon the informant along with other police personnel reached on the spot, when petitioner no.1, Ram Chandra Paswan and his other family members



started abusing the police personnel and tried to snatch the rifle from them. In the meantime, petitioner no.1, Ram Chandra Paswan took out a knife and assaulted the informant.

It is submitted by learned counsel for the petitioners that the informant, in fact, became a party on behalf of Ram Sundari Devi, with whom, there is a land dispute of the petitioners from earlier. It is further submitted that the informant has received simple superficial injury. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

Since there is specific accusation of causing knife injury to the informant against petitioner no.1, this Court is not inclined to grant him privilege of anticipatory bail.

Accordingly, prayer for anticipatory bail of petitioner no.1 is rejected.

Let the learned court below consider the prayer for regular bail of petitioner no.1 without being prejudiced by the order of this Court, if he surrenders within a period of six weeks.

So far as petitioner no.2 is concerned, considering the fact that accusation against him is omnibus and general, coupled



with the statement made in paragraph no.3 of the petition that the petitioner no.2 is not having any criminal antecedent, let the above named petitioner no.2 be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Benipatti, Madhubani in connection with Bisfi P.S. Case No. 82 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

