

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56562 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- MANPUR District- Nalanda

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1. GORELAL PASWAN Son of Suresh Paswan Resident of Village - Hargawan, P.S.- Manpur, Distt - Nalanda.
 2. Krishna Paswan Son of Late Ramjee Paswan Resident of Village - Hargawan, P.S.- Manpur, Distt - Nalanda.
 3. Bhagwat Paswan Son of Late Ramjee Paswan Resident of Village - Hargawan, P.S.- Manpur, Distt - Nalanda.
 4. Rambriksha Paswan Son of Late Kesho Paswan Resident of Village - Hargawan, P.S.- Manpur, Distt - Nalanda.
 5. Mahesh Paswan Son of Late Kishun Paswan Resident of Village - Hargawan, P.S.- Manpur, Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md.Imteyaz Ahmad
For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-09-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Manpur Police Station Case No. 105 of 2019, disclosing offences under Sections 341/323/379/337/427/504/506/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioners is that while the informant was coming after working on his brick-kiln, he was assaulted by the petitioner no. 1. It has further been alleged that



in the same evening, at about 8 pm, all the petitioners, along with others, arrived at the house of the informant, started brick-batting, damaged the household articles and fled away after taking Rs. 15,000/-, golden ear-ring etc. It has also been alleged that the accused persons were also firing from the rifles and guns.

Learned Counsel for the petitioners submits that both the parties are co-villagers and there was previous enmity between them. He further submits that there is case and counter case inasmuch as Manpur Police Station Case No. 106 of 2019 has been lodged by the brother of petitioner no. 4 against the informant and his family members. He further submits that there is no allegation of firing against these petitioners and nobody has received serious injury in the free fight between the parties.

After having heard learned Counsel for the parties and taking into consideration the fact that both parties are co-villagers and there is case and counter case, I am inclined to grant the petitioners privilege of anticipatory bail.

Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten



thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Nalanda, at Biharsharif, in connection with Manpur Police Station Case No. 105 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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