IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66387 of 2019

Arising Out of PS. Case No.-98 Year-2019 Thana- DEO District- Aurangabad

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1. DEVAN PASWAN Son of Late Ram Varan Paswan @ Bhawan Paswan Resident of Village- Raja Furka and Furka P.S.- Deo, District- Aurangabad.
2. Raksheya Paswan Son of Late Ram Varan Paswan @ Bhawan Paswan Resident of Village- Raja Furka and Furka P.S.- Deo, District- Aurangabad.
3. Hari Paswan Son of Late Ram Varan Paswan @ Bhawan Paswan Resident of Village- Raja Furka and Furka P.S.- Deo, District- Aurangabad.
4. Nandlal Paswan Son of Raghunandan Paswan Resident of Village- Raja Furka and Furka P.S.- Deo, District- Aurangabad.
5. Adit Paswan @ Udit Paswan Son of Dukha Haran Paswan Resident of Village- Raja Furka and Furka P.S.- Deo, District- Aurangabad.
6. Birju Paswan Son of Nandlal Paswan Resident of Village- Raja Furka and Furka P.S.- Deo, District- Aurangabad.
7. Sheo Paswan @ Shiv Kumar Son of Hari Paswan Resident of Village- Raja Furka and Furka P.S.- Deo, District- Aurangabad.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Yugal Kishore
For the Opposite Party/s : Mr.Manoj Kumar No.1

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 10-12-2019 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Deo PS case no. 98 of 2019 registered for the offences punishable under Sections 323, 341, 324, 307/34 of Indian Penal Code.

At the outset, the learned counsel for the petitioners submits that the petitioner no. 3 has already been

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arrested, hence the present petition *qua* the petitioner no. 3 has become infructuous.

Accordingly, the present petition stands dismissed *qua* the petitioner no. 3.

The allegation is regarding the accused persons including the petitioners herein having started ploughing the disputed field in question, whereupon objection was made by the informant and his family members and then the accused persons are said to have assaulted the husband of the informant and one of his relative resulting in some injuries on their persons.

The learned counsel for the petitioners has submitted that the present case arises out of case and counter case and as far as the injuries on the injured persons are concerned, they have been found simple in nature, as is apparent from paragraphs no. 15 and 16 of the case diary. The petitioners are stated to be having a clean antecedent.

Having regard to the facts and circumstance of the case, I deem it fit and appropriate to admit the petitioners no. 1, 2, 4, 6 and 7 to the privilege of anticipatory bail. Accordingly, the abovenamed petitioners no. 1, 2, 4, 6 and 7, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the

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satisfaction of learned C.J.M. Aurangabad in connection with Deo PS case no. 98 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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