

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65212 of 2019

Arising Out of PS. Case No.-146 Year-2019 Thana- CHANDI District- Nalanda

SHANKAR PASWAN Son of Indradeo Paswan. Resident of Village-Chainpur, P.S.- Wena, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-10-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Chandi (Wena) Police Station Case No.146 of 2019, disclosing offences under Sections 341, 323, 354(A), 379, 307, 504, 506/34 of the Indian Penal Code.

The allegation against the petitioner, on the basis of the written report of one Sunita Devi, is that petitioner along with other accused persons entered into the house of the informant and after holding the hair of the informant, the accused persons tried to pull the informant to some lonely place and upon protest informant was assaulted by means of *lathi*, *danda* etc.

Learned counsel for the petitioner submits that both



the parties are co-villagers and the dispute has taken place on a trivial issue relating to quarrel between the children during play. Learned counsel further submits that incident has taken place on 08.05.2019 but the First Information Report has been lodged after delay of about two days i.e. on 10.05.2019. Learned counsel further submits that there is case and counter case between the parties, inasmuch as Chande Police Station Case No.147 of 2019 has been lodged by the side of the petitioner. Learned counsel further submits that no injury has been caused to the side of the informant, however injury from the side of the petitioner is there. The report has been annexed as *Annexure 3*.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both parties are co-villagers and there is case and counter case and similarly situated co-accused have been allowed bail by a co-ordinate Bench of this Court in Criminal Miscellaneous No.59242 of 2019, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, Shankar Paswan, in the event of his arrest or surrender before the court below within four weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Chandi (Wena) Police Station Case No.146 of 2019, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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