

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78708 of 2019

Arising Out of PS. Case No.-338 Year-2019 Thana- HARNAUT District- Nalanda

1. Ramesh Paswan, aged about 65 years, (Male), S/o Late Bhulan Paswan, R/o village- Cheran, P.S.- Harnaut, District- Nalanda.
2. Sudhir Paswan, aged about 40 years, (Male), S/o Ramesh Paswan, R/o village- Cheran, P.S.- Harnaut, District- Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Pankaj Kumar, Advocate.
For the Opposite Party : Mr.Anant Kumar 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-12-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 341, 323 and 308/34 of
the IPC.

The prosecution story, in brief, is that on 19.08.2019
at 8.00 P.M., while the informant Dinesh Paswan was returning
to his home from Harnaut Bazar, his Pattidar petitioners
alongwith other co-accused persons demanded money from him
for drinking near Harnaut Railway Gate and when the informant
denied to give money, petitioner no. 1 Ramesh Paswan assaulted



by means of Danda on his head causing rupture injury over his head. On hulla, when the informant's younger son, namely, Vikram Kumar came to save him, petitioner no. 2 assaulted him with intent to kill him by means of Iron-rod on his head causing rupture injury over his head and when the villagers came, they took the injured to Harnaut Hospital for treatment.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Both parties are agnates. Due to property dispute, the alleged occurrence is said to have taken place. Nature of injury is said to be simple. At best, it is case for an offence under Section 324 of the IPC.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M.



Nalanda, in connection with Harnaut P.S. Case No. 338 of 2019.

(Sudhir Singh, J)

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