

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83306 of 2019

Arising Out of PS. Case No.-371 Year-2018 Thana- HARNAUT District- Nalanda

1. Manohar Paswan Son of Late Ram Prit Paswan Resident of Village - Rupaspur, P.S.- Harnaut, District- Nalanda
2. Rita Devi Wife of Manohar Paswan Resident of Village - Rupaspur, P.S.- Harnaut, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 16-12-2019 Heard learned Counsel for the petitioners and the learned APP for the State.

Petitioners apprehend arrest in Harnaut PS Case No. 371 of 2018 registered under Sections 341, 323, 308, 379, 304, 34 of the IPC.

Allegation is that while son of the informant was going to the field he was accosted by the instant accused persons along with others.

It is submitted that in so far as petitioner No. 2 is concerned, Harnaut PS Case No. 372 of 2018 has been lodged by her against son of the informant and that contains the counter version of the occurrence. Allegation of assault is not specific



and omnibus and allegation of theft is super addition with oblique motive of making the allegations look grave. Submission is of false implication and prayer is made for anticipatory bail on behalf of the instant accused persons.

The court below while rejecting the prayer has taken into consideration the medical report, wherein son of the informant has been found to have sustained injuries in the vital parts of the body.

In view of the said findings of the court below the prayer for bail of petitioner No. 1 who is said to have assaulted by means of iron rod and katta is rejected.

In the event of arrest or surrender before the court below within four weeks from today, let the petitioner No. 2 Rita Devi above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Nalanda, Bihar Sharif in Harnaut PS Case No. 371 of 2018 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also subject to the following conditions:-

(I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also



undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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