

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11088 of 2020

Arising Out of PS. Case No.-17 Year-2020 Thana- BUXAR MUFFSIL District- Buxar

1. ASHOK JAISWAL @ ASHOK KUMAR JAISWAL Son of late Sarbjeet Jaiswal Resident of Village - Narbatpur, P.S.- Buxar (Muffasil), District- Buxar
2. Rajnish Jaiswal @ Rajnish Kumar Jaiswal Son of Ashok Jaiswal Resident of Village - Narbatpur, P.S.- Buxar (Muffasil), District- Buxar
3. Rahul Jaiswal Son of Ashok Jaiswal Resident of Village - Narbatpur, P.S.- Buxar (Muffasil), District- Buxar

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh
For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 354 B, 379, 504 & 506/34 of the Indian Penal Code.

The prosecution case, in brief, is that when the informant was proceeding through her lane, Ashok Jaiswal holding her hand told to forbade her son not to put soil in the lane otherwise she will face dire consequences and the sons of Ashok Jaiswal, namely, Rajnish Jaiswal and Rahul Jaiswal were standing holding rod in their hand. Ashok Jaiswal holding her



hair shoved her on the ground and tore her blouse. When her son came in her rescue, they assaulted him by means of rod inflicting injury on his left eye. After hearing hue and cry when other persons came in rescue they also assaulted them by pelting stones from their roof. They also snatched her golden chain worth Rs.50,000.00 and purse of her son containing Rs.15,000.00.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. As a matter of fact, earlier to the case under hand, Buxar (M) P.S. Case No.16 of 2020 has been lodged by the petitioners' side against the informant's side and to save their skin from the said case, this false and frivolous case has been lodged against them on altogether concocted allegations. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is also submitted that a proceeding under Section 107 Cr.P.C. is going on between the parties.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing



bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Buxar (Muffasil) P.S. Case No.17 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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