

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 19561 of 2020

Arising Out of Shyampur Bhatha P.S. Case No- 104 Year- 2019, District- Sheohar

1. RAMBABU PASWAN, aged about 30 years, (male)
2. SHYAMBABU PASWAN, aged about 28 years, (male)
3. SHIVNATH PASWAN, aged about 23 years, (male)
All are three sons of Bhavikhan Paswan.
4. INDU DEVI, aged about 30 years, (female), W/o- Bachu Paswan
5. DAYA DEVI, aged about 48 years, (female), W/o- Bhavikhan Paswan
6. GULABI DEVI, aged about 40 years, (female), W/o- Mahadev Paswan
7. RINKU DEVI, aged about 30 years, (female), W/o- Rambabu Paswan
8. SUJEET PASWAN, aged about 21 years, (male), S/o- Mahadev Paswan
9. VIKASH PASWAN, aged about 18 years, (male), S/o- Mahadev Paswan
All are R/o village Gosainpur Mal, P.S.- Shyampur, Bhatha, Dist.- Sheohar
... .. Petitioners

Versus

1. The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Vindhya Keshari Kumar, Sr. Advocate
	:	Mr.Ravi Shankar Pathak
For the Opposite Party	:	Mr.R.B. Rai Raman, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-08-2020 Heard Mr. Vindhya Keshari Kumar, learned Senior counsel appearing on behalf of the petitioners and Mr. R.B. Rai Raman, learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of anticipatory bail arises out of Shyampur Bhatha P.S. Case No.104 of 2019 registered for the offence punishable under Sections 147, 149, 307, 323, 341, 504 and 506 of the Indian Penal Code.



The occurrence is said to have taken place at 3.30 P.M., when the informant was allegedly engaged in weeding out unwanted grass from his paddy field. Allegedly, persons named in the F.I.R. including these petitioners armed with *lathi*, *danda* and iron rod reached there. There is allegation against Mahadev Paswan, a co-accused, of having given a blow with an iron rod in the informant's head. It is also alleged that other persons assaulted the informant with fists and slaps. It has been stated that there is no specific allegation against these petitioners and Mahadev Paswan against whom, there is allegation of assault, has been granted bail. It has also been submitted that only one injury caused by sharp cutting weapon, has been found in the head of the informant and there is no other injury.

Considering the circumstance that there is no specific allegation against these petitioners, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Sheohar in connection with Shyampur Bhatha P.S. Case No. 104 of 2019,



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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

It is indicated that defect, if any, shall be shall be removed within two months.

Since there is a lockdown, the Court has considered it appropriate to adopt following procedure for communication of the present order:-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential office for documentation and future use, if any.



(iv) Let a copy of the order be communicated to the learned court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social-distancing.

(Chakradhari Sharan Singh, J)

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