

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84663 of 2019

Arising Out of PS. Case No.-147 Year-2019 Thana- MANIGACHI District- Darbhanga

1. PRADIP PASWAN
2. Sanjit Paswan
Both Sons of Umesh Paswan, Both Resident of Village - Paithan Kawai,
P.S.- Nehra O.P. (Manigachhi), District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan(App156)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-06-2020 Heard both sides through Video Conferencing.

The petitioners apprehend their arrest in Manigachhi(O.P. Nehra) P.S. Case No.147 of 2019 registered under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code.

The informant, Nagesh Paswan, named both the petitioners along with two other accused persons and alleged that Pradip Paswan(petitioner No.1) and Umesh Paswan caught the informant. Petitioner No.2(Sanjit Paswan) assaulted him with farsa on his abdomen and chest. Chhetij Paswan assaulted with sharp edge sickle on his temporal region.

The learned counsel for the petitioners submits that



there is a counter version. There is a land dispute between two sides and a title suit is going on between the parties but it appears that on account of assault made by Sanjit Paswan(petitioner No.2), sharp cut injury was caused on the vital part of the informant. On account of assault made by Chhetij Paswan, who is not the petitioner, sharp cut injury on temporal region was caused and doctor opined the injuries to be grievous in nature.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner No.2 on anticipatory bail. Accordingly, the same is rejected.

So far as the case of Pradip Paswan(petitioner No.1) is concerned, the only allegation against him is that he caught the informant and no allegation of assault is made against him.

Taking into consideration the facts aforesaid, let the petitioner No.1(Pradip Paswan) in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, 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 the learned A.C.J.M. 5th, Darbhanga in connection with Manigachhi(O.P. Nehra) P.S. Case No.147 of 2019(C.R.I. Case



No.1862 of 2019), subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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