

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1036 of 2020

Arising Out of PS. Case No.-138 Year-2018 Thana- PATEPUR District- Vaishali

1. Shibal Paswan @ Dipak Kumar, aged about 30 years, Male, Son of Late Kailash Paswan, Resident of Village - Kesarahi, P.S.- Patepur, District- Vaishali.
2. Bablu Sahani @ Bablu Kumar @ Babann Kumar, aged about 28 years, Male, Son of Maujelal Sahani, Resident of Village - Kesarahi, P.S.- Patepur, District- Vaishali.
3. Rampravesh Singh @ Rampravesh Kumar, aged about 26 years, Male, Son of Ramdhani Singh, Resident of Village - Havipur, P.S.- Baligaon, District- Vaishali.
4. Kundan Sah @ Kundan Kumar @ Kundan Prasad, aged about 27 years, Male, Son of Uttam Pratap Sah, Resident of Village - Maudah Bujurg, P.S.- Patepur, District- Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mrs. Bela Singh, Advocate.
For the Opposite Party	:	Mr. Bipin Kumar Sinha and Mr. Narendra Kumar Singh, Advocates.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-06-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

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 147, 148, 149, 341,



323, 324, 307, 302, 504 and 506 of the IPC.

The prosecution story, in brief, is that the dispute arose with respect to the measurement of land for which a *Panchayati* was also held, but in that *Panchayati*, the petitioners protested the same and assaulted the husband of the informant due to which they left out and thereafter all the accused persons came out and assaulted the husband and son of the informant with *Rod*, *Dabiya* and *Knife* due to that they became injured and later on during treatment, the son of the informant died.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. The petitioners have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. General and omnibus allegation has been made against the petitioners. No specific injury is attributed against the petitioners. Other co-accused has been granted bail by the then Co-ordinate Bench of this Court vide Cr. Misc. No. 3664 of 2019 under order dated 17.04.2019.

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

Considering the facts and circumstances of the case and also the lockdown, 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 their personal bond to the satisfaction of learned A.C.J.M.-10, Vaishali at Hajipur, in connection with Patepur P.S. Case No. 138 of 2018, G.R.No. 4275 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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