

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86786 of 2019

Arising Out of PS. Case No.-127 Year-2019 Thana- KHAJAUJI District- Madhubani

1. Ranjeet Paswan S/o Rameshwar Ram @ Rameshwar Paswan Resident of Village- Pali Mohan Ward No.11, P.S.- Khajauli, Distt- Madhubani.
2. Bechan Paswan S/o Late Kapleshwar Paswan Resident of Village- Pali Mohan Ward No.11, P.S.- Khajauli, Distt- Madhubani.
3. Ravindra Paswan S/o Parmeshwar Paswan Resident of Village- Pali Mohan Ward No.11, P.S.- Khajauli, Distt- Madhubani.
4. Prabhu Paswan Son of Late Bhukhi Paswan Resident of Village- Pali Mohan Ward No.11, P.S.- Khajauli, Distt- Madhubani.
5. Shiva Paswan @ Shiv Shankar Paswan S/o Kusheshwar Paswan Resident of Village- Pali Mohan Ward No.11, P.S.- Khajauli, Distt- Madhubani.
6. Rameshwar Paswan Son of Late Sonful Paswan Resident of Village- Pali Mohan Ward No.11, P.S.- Khajauli, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 354B, 447, 504 and 506/34 of the Indian Penal Code.

The prosecution case as per the written report of Nanhe Paswan submitted to the Station House Officer of



Khajauli Police Station, is to the effect that on 10.08.2019 at 5.00 P.M., the informant was sitting at his door when eight accused persons including the petitioners came variously armed and assaulted the informant with lathi causing injury on his head, when the nephew of the informant, Ramchandra Paswan and cousin Chandeshwar Paswan came to his rescue then petitioner nos. 1 to 5 assaulted him with iron rod and lathi and also took away a gold chain from the informant.

It is submitted by learned counsel for the petitioners that in the background of earlier land dispute, the accusation has been levelled and there is a counter version of the occurrence, being Khajauli P.S. Case No. 126 of 2019 registered for the offences punishable under Sections 341, 323, 324, 307, 354B, 379, 427, 448, 504 and 506/34 of the Indian Penal Code. It is further submitted that the injury has been found simple in nature and a statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the nature of accusation and the case lodged by the petitioners' side at earlier point of time, coupled with the statement made in paragraph 3 of the petition that the



petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Madhubani in connection with Khajauli P.S. Case No. 127 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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