

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27740 of 2021

Arising Out of PS. Case No.-257 Year-2020 Thana- PIPRAHI District- Sheohar

1. Ranjeet Paswan Son Of Ganesh Paswan R/O Village- Mohan Pur,, P.S.- Piprahi, District- Sheohar.
2. Randhir Paswan @ Randheer Paswan Son of Ganesh Paswan R/o Village- Mohan Pur, P.S.- Piprahi, District- Sheohar.
3. Ganesh Paswan Son of Nathuni Paswan Resident of Village- Mohan pur, P.S.- Piprahi, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 30-11-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under sections 302/34 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, petitioner no.1 assaulted the wife of the informant with iron rod on her head, petitioner no. 2 is alleged to have assaulted her with stick and petitioner no.3 is said to be an order giver.

Learned counsel for the petitioners submits that there is case and counter case. Further, there is general and omnibus allegation of assault against all the accused persons. Besides this, both sides are having subsisting land dispute. Petitioners claim clean antecedent and they are in custody since 8.11.2020.

Learned counsel appearing for the State opposes the prayer for bail. He submits that there is specific allegation that



petitioner no.1 assaulted the informant's wife with iron rod on her head, whereas petitioner no.2 has been alleged to have assaulted her with stick. He submits that the post mortem report also supports the prosecution case as the doctor conducting autopsy has opined that victim died due to injuries caused on the head/skull by hard and blunt objects.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner no. 3 is allowed. Let petitioner no.3 Ganesh Paswan be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Sheohar in Pirpahi Police Station Case No. 257 of 2020.

As there is direct and specific allegation of assault by iron rod and stick against petitioners no. 1 and 2 (Ranjeet Paswan and Randhir Paswan (@ Randheer Paswan)) respectively to the informant's wife causing her death, their prayer for bail is rejected.

(Prabhat Kumar Singh, J)

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