

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32095 of 2020

Arising Out of PS. Case No.-15 Year-2020 Thana- DEO District- Aurangabad

1. Tuntun Paswan
2. Nandu Paswan Both Sons of Late Krit Paswan @ Ramkrit Paswan Resident of Village- Belsara, P.S.- Deo, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Leelawati Kumari, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-02-2021 As prayed for, let the learned counsel for the petitioners remove the defect(s), as pointed out by the Stamp Reporter within four weeks of starting of the Court proceeding in physical mode.

The learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner no. 1 (Tuntun Paswan), as this petitioner, during the pendency of this application, has been taken into custody.

Prayer is allowed. Accordingly, it stands dismissed as withdrawn in connection with Deo P.S. Case No. 15 of 2020 with regard to petitioner no. 1 (Tuntun Paswan).

Heard learned counsel for the petitioner and learned



Additional Public Prosecutor for the State.

The petitioner no.2 seeks pre-arrest bail in connection with Deo P.S. Case No. 15 of 2020 registered under Sections 147, 148, 149, 323, 324, 307, 379 of the Indian Penal Code.

Accusation is that in the evening of 21.2.2020 informant (Brihaspat Paswan) was at his house, at that time ten persons named in the FIR including Nandu Paswan (petitioner no.2) came and started abusing and entered in the house of the informant and thereafter, all the accused persons started assaulting the inmates the house. Shiv Pujan Paswan gave **Khanti** blow at the head and back of his daughter-in-law, Nagwanti. Manish caused injury to his son Shankar Paswan with sword at his head. Surendra Paswan and Rajendra Paswan caused injury to Akash Paswan, grand son of the informant with Garasa whereas Rajnish Paswan assaulted his grand daughter Guria Kumari with Lathi. Thereafter Tuntun Paswan and Nandu Paswan (petitioner no.2) caused injury to the son of the informant with rod and hockey stick respectively.

Submission is that while allegation has been made against petitioner no.2 Nandu Paswan and Tuntun Paswan to cause injury by Hockey stick and iron rod at the Shankar Paswan but two incised injuries simple in nature were found on



the body of Shankar Paswan while opinion is kept reserved. No injury by hard and blunt substance is found on the person of Shankar Paswan. Petitioner no.2 has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner no.2 Nandu Paswan, in the event of surrender/ arrest, within a period of four weeks from today, in connection with Deo P.S. Case No. 15 of 2020 be released on bail on furnishing bail bonds of Rs 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad or the Successor Court subject to the condition as laid down under section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

s.hassan/-

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