

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36964 of 2020

Arising Out of PS. Case No.-203 Year-2020 Thana- AHYAPUR District- Muzaffarpur

1. RAJARAM PASWAN son of Ramkhelawan Paswan and Ramkhelawan Paswan Resident of Village - Mihanpura, P.S. - Ahiyarpur, Dist. - Muzaffarpur
2. Ramkhelawan Paswan S/o Late Jiyalal Paswan Resident of Village - Mithanpura, Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Adv.
	:	Mr. Anuj Kumar, Adv.
For the Opposite Party/s	:	Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 20-07-2021 Heard Mr. Y.C. Verma, learned senior counsel for the petitioners and Ms. Sangeeta Sharma, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Ahiyapur P.S. Case No. 203 of 2020 instituted for the offences under Sections 341, 323, 384, 307, 324, 379, 504 and 506 of the Indian Penal Code.

The accusation against the petitioner no. 1 is of assaulting the informant by means of a sword on his head. The petitioner no. 2, who is the father of the petitioner no. 1 is alleged to have divested the informant of his personal



belongings. Some other persons are also said to have assaulted the informant.

Mr. Verma, learned senior counsel for the petitioners has pointed out that though the petitioner no. 1 has been made accused in about five cases upto now but in one of the cases, he has been acquitted and the other four cases are of the year 2014 and 2019 respectively in which, he is on bail. It has further been submitted that the injuries suffered by the informant is stated to have been caused by hard and blunt substance and though there is no conclusive report about the nature of injury, but looking at the dimensions of the injury, it does not appear to be grievous. Apart from this, it has been argued that there is a dispute with respect to passage between the house constructed by the informant and the land contiguous to the plot of the informant. The occurrence took place because of such dispute. In order to lend credence to the aforesaid statement, learned senior advocate for the petitioners has pointed out that the brother of the petitioner no. 1 was assaulted by the informant. This led to the lodging of a



counter version of the occurrence.

Regard being had to the afore-stated facts, the petitioners, above named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge -1, Muzaffarpur, in connection with Ahiyapur P.S. Case No. 203 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure

(Ashutosh Kumar, J)

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