

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40957 of 2020

Arising Out of PS. Case No.-80 Year-2020 Thana- BAIRIYA District- West Champaran

1. Prabhu Paswan S/o Lakshuman Paswan R/V- Bagahi, Dusadh Toli, P.S.- Bairiya, Distt.- West Champaran.
2. Gafi Mian S/o Late Ismail Mian R/V- Ahirani Tola, P.S.- Bairiya, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

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

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 26-07-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioners remove the defect(s) as pointed out by the office vide its notes dated 29.12.2020 within four weeks of starting of the Court proceeding in physical mode in normal course.

Learned counsel for the petitioners and the learned A.P.P through Video Conferencing.

The petitioners apprehend their arrest in connection with Bairiya P.S. Case no. 80 of 2020 registered under Sections 341, 323, 354B, 379 and 504/34 of the Indian Penal Code.

Accusation is that on 01.03.2020 at about 9.30 a.m, informant- Anila Devi went to the house of accused Akhilesh



Paswan to take credit money where Akhilesh Paswan and Prabhu Paswan (petitioner no.1) and Gafi Mian (petitioner no.2) along with two unknown were present in drunken state. They called her inside the house for giving money. Akhilesh Paswan caught sari of the informant and Gafi Mian (petitioner no.2) caught her Blouze from back and started dragging her. When the informant raised hulla, Prabhu Paswan pressed her mouth and Akhilesh Paswan took Rs 2000/- from her blouze. Any how she fled away from there. She sustained injury over her right eye and blood started coming out from her nose.

Submission is that in fact, petitioner no.2 is running grocery shop and the informant had taken some grocery materials on credit and when petitioner no.2 asked to give money in presence of other persons, informant became angry and lodged the present case. Petitioners and the informant are next door neighbour and both petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Bairiya P.S. Case No. 80 of 2020 be released on bail on furnishing bail bonds of Rs 10,000/- (rupees ten thousand) each



with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah West Champaran 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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