

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38917 of 2020**

Arising Out of PS. Case No.-100 Year-2018 Thana- BHAGWANPUR District- Vaishali

NAGESHWAR PASWAN, S/o Parohan Paswan R/o Village- Bakhra Bujurg
@ Bakhara Buzurg, P.S.- Bhawanpur, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party/s : Mr. Anil Kumar, A.P.P

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 12-07-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 22.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection with Bhagwanpur P.S. Case no. 100 of 2018, registered under Section 147, 341, 323, 325, 307, 504 and 379 of the Indian Penal Code.

The accusation is that Nageshwar Paswan (Petitioner), Dharmendra Paswan, and Avinash Kumar arranged Panchayat on 03.06.2018 in which Rajesh Paswan, grandson of informant Mukhlal Paswan, had gone there, where due to



enmity, all started to abuse, in presence of Surpanch and at that time, this petitioner gave sickle blow causing grievous injury at the head of Rajesh Paswan. Thereafter, Rajesh Paswan, grandson of informant, was rushed to P.H.C. Bhagwanpur, from where he was referred to Sadar Hospital, Hajipur. In the evening, when informant Mukhlal Paswan was returning from market then Lalbabu, Manish, Mithun, Akhlesh, Amarnath, Devnath, Sambhu, Santosh Paswan, Birendra Paswan, Nandani Devi, Anita Devi stopped him and started to abuse and caused assault. In that course, Nandani Devi gave lathi blow, causing fracture injury at his left leg and Anita Devi snatched Rs. 15000/- from his pocket. When Gariban, son of informant, rushed to save then he was also assaulted in which he sustained fracture injury at his left hand.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that allegation against the petitioner is to cause sharp cutting injury through sickle at the head of Rajesh Paswan, grandson of informant, but only one injury i.e. swelling on forehead 3”X2” left side frontal was found regarding which opinion is reserved. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the



case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-16, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 100 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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