

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32170 of 2021

Arising Out of PS. Case No.-129 Year-2020 Thana- AURAI District- Muzaffarpur

1. MADAN PASWAN SON OF RAMASHRAY PASWAN Resident of Village - Mahrauli, P.S.- Aurai, Distt.- Muzaffarpur.
2. NARESH PASWAN SON OF RAMRAJI PASWAN Resident of Village - Mahrauli, P.S.- Aurai, Distt.- Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 22-06-2022 Learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as the learned APP for the State.

The anticipatory bail petition with regard to petitioner No. 1 is dismissed as withdrawn vide order dated 12.04.2022.

The petitioner No. 2 apprehends his arrest in connection with Aurai P.S. Case No. 129 of 2020, registered for the offences punishable under Sections 147, 148, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

As per allegation, 14 accused persons named in the FIR assaulted the informant with iron rod and *lathi*. Petitioner No. 1 Madan Paswan who has been arrested has inflicted *hasuli* blow on



the head of the informant. The specific allegation against the petitioner Naresh Paswan is that he inflicted axe blow on the head of Pramod Paswan. Pramod Paswan was referred to SKMCH hospital.

Learned counsel for the petitioner has submitted that both the parties are agnates and there is land dispute between the parties. He has submitted further that prior to lodging of this case the petitioner side has lodged a case i.e. Aurai P.S. Case No. 106 of 2020 on 17.05.2020. The members of petitioner side in that case had sustained injuries. Petitioner is a person of clean antecedents.

The specific allegation against petitioner Naresh Paswan of giving axe blow on the head of Pramod Paswan. Pramod Paswan sustained grievous injury.

Considering the above-mentioned facts and circumstances, I do not think it to be a fit case for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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