

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59640 of 2021

Arising Out of PS. Case No.-767 Year-2020 Thana- SONEPUR District- Saran

1. Kismatiya Devi wife of Asharfi Paswan Resident of Village- Sabalpur Nawal Tola, P.S.- Sonepur, District- Saran (Chapra).
2. Asharfi Paswan Son of Marai Paswan Resident of Village- Sabalpur Nawal Tola, P.S.- Sonepur, District- Saran (Chapra).
3. Birju Paswan Son of Asharfi Paswan Resident of Village- Sabalpur Nawal Tola, P.S.- Sonepur, District- Saran (Chapra).
4. Raushan Paswan Son of Asharfi Paswan Resident of Village- Sabalpur Nawal Tola, P.S.- Sonepur, District- Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-07-2022 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Sonepur P.S. Case No. 767 of 2020, registered for the offences punishable under Sections 307, 354(B) and other allied sections of the Indian Penal Code and section 27 of the Arms Act.

Prosecution case in brief is that on the order of petitioner no. 2 Asharfi Paswan co-accused Prakash Paswan assaulted the informant on his head by means of *Daab* causing injury on his head and he became unconscious and when laxmi Devi tried to save the informant, Birju Paswan petitioner no. 3



pushed her and petitioner no. 4 Raushan Paswan snatched gold chain from the neck of informant and co-accused Prakash made firing in the air.

It is submitted that no specific overt act has been alleged against petitioner no. 1. Parties are co-villagers and some altercation took place over petty issue. Specific accusation of assault is against co-accused Prakash Paswan who is in custody. So far as these petitioners are concerned there is general and omnibus allegation. Petitioners

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Chapra, Saran in connection with Sonepur P.S. Case No. 767 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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