

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19072 of 2023

Arising Out of PS. Case No.-47 Year-2021 Thana- KHIRHAR District- Madhubani

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1. Bishe Paswan Son of Late Asharfi Paswan R/o Village- Pahra, P.S.- Khirhar, District- Madhubani
 2. Vijay Paswan Son of Bishe Paswan R/o Village- Pahra, P.S.- Khirhar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate.

For the Opposite Party/s : Mr.Mohammad Sufyan, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-06-2023 Heard Mr. Ravi Ranjan, learned counsel appearing on behalf of the petitioners and Mr. Mohammad Sufyan, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Khirhar P.S. Case No. 47 of 2021 registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

3. Allegation against the petitioners is of assaulting the informant by means of lathi, danda, iron rod and khanti, as a result of which, the informant sustained injury on his eye and head.

4. Learned counsel appearing on behalf of the petitioners submits that the informant and the petitioners are agnates and they are on inimical terms. The present F.I.R. has



been lodged without any cause and the allegations are imaginary and not sustainable. He further submits that though the injury has been inflicted on some of the vital parts, but the final injury report has been kept reserved. Petitioners' side have also sustained injury.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the fact that the parties are on inimical terms and in course of fierce fight injury has been caused to the informant without intention in self defence, the court below is directed to enlarge the petitioners on anticipatory bail after verifying the final opinion of the doctor with respect to the injury sustained by the informant, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Benipatti, Madhubani in connection with Khirhar P.S. Case No. 47 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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