

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30885 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- FATEHPUR District- Gaya

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UMESH PASWAN Son of Chandrika Paswan Resident of village - Ganni
Pipra, P.S. - Fatehpur, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deep Nishi

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Sections 341, 323,

325, 308 & 504/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he

assaulted the father of the informant and threw him by JCB.

4. It is submitted by learned counsel for the

petitioner that no such occurrence as alleged ever took place.

He has been falsely implicated in this case. The allegation

levelled against the petitioner is not specific rather general and

omnibus in nature. There is admitted raiyati land dispute

between the parties. It is further submitted that the father of the

informant was not assaulted and he has sustained injury on



account of falling on hard surface due to old age. The injury sustained by the victim is simple in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Having regard to the facts and circumstances of the case as well as the fact that the injury sustained by the victim is simple in nature, 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 six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Fatehpur P.S. Case No. 40 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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