

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4848 of 2020**

Arising Out of PS. Case No.-88 Year-2017 Thana- HALSI District- Lakhisarai

1. GAYTRI DEVI W/o Bharat Paswan Resident of Village and P.S.- Halsi, District- Lakhisarai.
2. Rakesh Paswan S/o Manoj Paswan Resident of Village and P.S.- Halsi, District- Lakhisarai.
3. Rajendra Paswan @ Raju Paswan S/o Krishna Paswan Resident of Village and P.S.- Halsi, District- Lakhisarai.
4. Lakshman Paswan S/o Parmeshwar Paswan Resident of Village and P.S.- Halsi, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar Sinha

For the Opposite Party/s : Mr.Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      29-02-2020      Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,341,323,504,324,307 and 337 of the IPC.

The prosecution case as per the written report of Ram Tahal Paswan submitted to the SHO, Halsi Police Station is to the effect that on 17.9.2017 at about 1.00 P.M., the informant was in his house, in the meantime, co-accused Sanjay Paswan untied the she-goat of the informant and claimed the informant's land and when the grand son of the informant made protest, the petitioner started assaulting him and when the son of the informant Babloo Paswan came to rescue, he was assaulted by co-accused Sanjay Paswan, Pawan Paswan, Murri Paswan, Biro



Paswan and Nageshwar Paswan. Co-accused Rajiv Paswan, Diwakar Paswan, Ramtaji Paswan, petitioner no. 2 Rakesh Kumar, petitioner no. 4 Laxman Paswan and petitioner no. 3 Rajendra Paswan alias Raju Paswan assaulted with iron road, lathi and Farsa, as a result sons of the informant namely Binod Paswan, Babloo Paswan and Dilip Paswan received injuries on their head. It is further alleged that the petitioners and others pelted stones.

It is submitted by learned counsel for the petitioners that in the background of petty dispute between the parties, the accusation has been levelled. The impugned order suggests that the informant's side has also received grievous injury. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that specific accusation has been levelled against the petitioners.

Considering the omnibus and general accusation made against the accused persons, grievous injuries being received by the petitioners' side also, coupled with the fact that other co-accused persons have been granted anticipatory bail by a co-ordinate bench of this Court coupled with statement made in paragraph 3 of the petition that the



petitioners are not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM III, Lakhisarai, in connection with Halsi P.S. Case No.88 of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

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