

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45320 of 2015

Arising Out of PS.Case No. -52 Year- 2015 Thana -BELAGANJ District- GAYA

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1. Shiya Sharan Paswan Son of Late Phirangi Paswan
2. Bablu Paswan Son of Shiya Sharan Paswan
3. Madhu Paswan Son of Shiya Sharan Paswan
All Resident of village - Sundarpur, P.S. Belaganj, District - Gaya
..... Petitioner/s

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena
For the Opposite Party/s : Mr. Ajay Kr.Jha(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 01-12-2015 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners seek bail in connection with Belaganj
P.S. Case No. 52 of 2015 registered for the offence punishable
under Sections 147, 148, 149, 341, 447, 323, 325, 307, 302 of the
Indian Penal Code.

Allegedly, 17 FIR named accused persons including
the petitioners being armed with lathi, danda came at the house of
the informant and started assaulting causing the death of the father
of the informant and also injury to the informant, his mother,
brother and other family members alleging that they have
kidnapped the daughter of Jadu Paswan.

Submission is of false implication and that the
petitioners are Gotiya of Jadu Paswan resulting they have been

implicated, there is no specific allegation against them. They have got no concern with the affairs of Jadu Paswan and as such the petitioners who are suffering in custody since 06.08.2015 after their surrendering deserve sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above, considering that against the petitioners there is no specific allegation, they have voluntarily surrendered, chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, the petitioners named above are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Belaganj P.S. Case No. 52 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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