

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45372 of 2014

Arising Out of PS.Case No. -386 Year- 2013 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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(1) Rahul Paswan, Son of Naresh Paswan
(2) Santosh Paswan, Son of Bachu Paswan
(3) Sarvan Paswan, son of late Chandeshwar Paswan
(4) Binod Paswan, son of late Govind Paswan
(5) Dharmendra Paswan @ Dharmendra Kumar Son of Jagdeo Paswan
(6) Lala Paswan, Son of Bachu Paswan
All resident of Village- Dharampur, P.S.- Noorsarai, District- Nalanda.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Baljit Singh, Advocate.
For the Opposite Party/s : Mr. Pranav Kumar(App)
For the Complainant : Dr. Ajit Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 14-05-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for offence under Sections 323, 324 and 387 of the Indian Penal Code and that there is a case and counter case with regard to the alleged incidence which took place on the day of Holi festival, this Court, keeping in view that the petitioners have also got no criminal antecedent, would direct that if the petitioners namely, (1) Rahul Paswan, (2) Santosh Paswan, (3) Sarvan Paswan, (4) Binod Paswan, (5) Dharmendra Paswa @ Dharmendra Kumar and (6) Lala Paswan surrender within a period of four weeks, they shall be released on bail on furnishing bail

bond of Rs. 10,000/- each with two sureties of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with Complaint Case No. 386(C) of 2013 subject to the following conditions:

- (i) That both the bailors will be close family relatives of the petitioners, who will undertake an affidavit giving genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the court if there is any change in the addresses of the petitioners.
- (ii) That the affidavit shall clearly state that the petitioners are not accused in any other case and if they are, they shall not be released on bail.
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of their bail on the ground of misuse.
- (iv) That the petitioners will be well represented on each and every date in course of trial and if

they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

Sujit/-

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