

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52192 of 2015

Arising Out of PS.Case No. -128 Year- 2015 Thana -EKANGARSARAI District- NALANDA
(BIHARSHARIFF)

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1. Nandu Paswan S/o Thanu Paswan
2. Ajay Paswan
3. Brijnandan Paswan Both Sons of Baleshwar Paswan All R/o village
Mojahid Pur, P.S. Ekangar Sarai, Dist. Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rewti Kant Raman

For the Opposite Party/s : Mr. Bisheshwar Ram(App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 15-12-2015 Heard counsel for the petitioners and Mr. Ram Chandra
Singh APP for the State.

The three petitioners along with others have been cited
as accuseds in Ekangar Sarai P.S. Case No. 128 of 2015 initially
registered under section 435 & subsequently section 436 IPC was
added. The allegation is that a statue of Hanuman was
pitch/installed and a Jhopri was put up thereon. The accused
persons put the said Jhopri on fire.

The contention of the petitioner is that even according to
the FIR the Jhopri was not for human dwelling. Earlier to this
the petitioner had lodged a case against the present prosecution
side for forcible possession of the land and in connection

therewith several proceeding under Cr. P.C. were going on. The petitioners are in custody since 25.08.2015.

Considering the facts and circumstances of the case, the petitioners above named are directed to be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction learned ACJM, Hilasa (Nalanda) in Ekangar Sarai P.S. case No. 128 of 2015 on conditions that one of the bailors shall be their own/close family members. In the event of framing of charge, the petitioners shall appear in person on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall cancel their bail bonds.

(Kishore Kumar Mandal, J)

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