

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50830 of 2015

Arising Out of PS.Case No. -38 Year- 2015 Thana -SARE District- NALANDA (BIHARSHARIFF)

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Chandra Mauli Prasad @ Chandra Mauli Paswan Son of Late Indradeo Paswan, resident of village- Jhamtapar, P.S. Sone District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha, Adv.

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-11-2015 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 341, 323, 307, 337, 504 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Sare P.S. Case No. 38 of 2015.

3. It is submitted that the petitioner has been falsely implicated and in any event is said to be merely order giver and the thrust of accusation of firing upon Randhir Paswan and Vijay Paswan. There is no specific accusation of any overt act or assault to the petitioner who claims clean criminal antecedent. Similarly situated co-accused Parmanand Paswan has been granted anticipatory bail in Criminal Miscellaneous No. 37559 of 2015.

4. Having regard to the entirety of the facts and

circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Sare P.S. Case No. 38 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions :

(i) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioner shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/-

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