

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49770 of 2015

Arising Out of PS.Case No. -595 Year- 2015 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Tulsi Paswan Son of Late Budhram Paswan
 2. Lallan Paswan Son of Tulsi Paswan
 3. Chhotan Paswan Son of Tulsi Paswan
- All Resident of Village-Madhampur, Madhumalata Kayasth Toli, P.S.-
Turkaulia, District-East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ram Laxan Sah Son of Late Gorakh Sah Resident of Village-Madhampur
Madhumlat Kayasth Toli, P.S.-Turkaulia, District-East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sadanand Paswan (Spl. PP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL ORDER

2 04-11-2015

Heard learned counsel for the parties.

Having regard to the fact that the petitioners have been made accused for offence under Sections 392/34 of the Indian Penal Code initially filed by way of complaint case and that there is only omnibus allegation against the petitioners even in the petition of complaint, this Court, by taking into account that the petitioners have got no criminal antecedent, would be inclined to grant privilege of anticipatory bail to the petitioners.

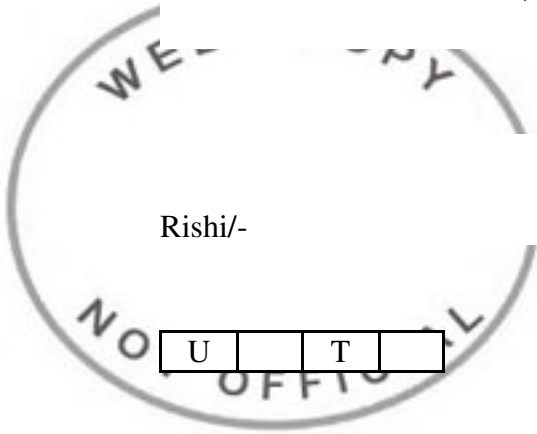
That being so, if the petitioners, namely, Tulsi Paswan, Lallan Paswan and Chhotan Paswan surrender before the court



below within a period of four weeks from today, they shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Manish Kumar, Judicial Magistrate, 1st Class, Sadar at Motihari in connection with Tr. No. 751 of 2015 arising out of Complaint Case No. C-595 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to following conditions:-

- (i) That both the bailors will be a close relative 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 address of the petitioners.
- (ii) That the affidavit shall clearly state that the petitioners are not an 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 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)

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