

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51982 of 2015

Arising Out of PS.Case No. -224 Year- 2015 Thana -BISFI District- MADHUBANI

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1. Sheo Jee Paswan Son of Late Anand Paswan @ Rama Nand Paswan,
2. Jhagaru Paswan, son of Ramji Paswan,
Both residents of village- Anjauli, P.S.- Bisfi (Patauna), District-
Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Ahmad Ali (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 15-12-2015 Heard the Counsel for the petitioners and the counsel for the informant.

Two petitioners herein seek bail in Bisfi (Patuana) P.S. Case No. 224 of 2015 registered under Section 436 and other allied sections of the Indian Penal Code.

On a trivial issue i.e. replacement of burnt transformer, it appears, two groups fought against each other. The allegation is that subsequently other villagers of the village of the petitioners assembled and there was brick batting and one hut was put on fire.

Counsel for the petitioners states that the allegation of putting the hut on fire is not attributed to the petitioners who are in custody since 8.9.2015. There is a counter version of the motive which is alleged in the F.I.R. lodged by the present accused party

(Annexure-3). The petitioners have no criminal antecedent. Relevant statement in this regard is made in paragraph no. 3.

Counsel for the informant has, however, submitted that there is one criminal case pending against petitioner no. 2 which has not been stated in the present case.

Having considered the submissions of the parties, the petitioners abovenamed are directed to 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 Judicial Magistrate, 1st Class, Madhubani in Bisfi (Patauna) P.S. Case No. 224 of 2015 subject to the following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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