

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20220 of 2016

Arising Out of PS.Case No. -146 Year- 2015 Thana -KHAJAU LI District- MADHUBANI

=====

1. Kamal Paswan Son of Ram Chandra Paswan,
2. Jawahar Paswan @ Jawahir Paswan Son of Ram Swaroop Paswan.
3. Shankar Paswan @ Shankar Kumar Paswan Son of Uttim Paswan.
4. Heera Lal Paswan son of Ram Swaroop Paswan, null
5. Uttim Paswan son of Ram Swaroop Paswan,
6. Mannay Paswan @ Maheshwar Paswan son of Tetar Paswan, All
Resident of Village- Dostpur, P.S.- Khajauli, District- Madhubani.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Md. Ansural Haque(App)

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-05-2016 Heard learned counsel for the petitioners and the learned
Additional Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of
Khajauli P.S.Case No. 146/2015, disclosing offences under
sections 147, 341, 323, 324, 307, 379, 447, 504 of the Indian Penal
Code.

Learned counsel for the petitioners has submitted that for
an occurrence alleged to have taken place on 2.10.2015, Fard
Beyan was recorded on 12.10.2015 and the First Information
Report was registered on 18.10.2015. Such delay in recording of
the Fard Beyan and lodging of the F.I.R. itself creates a serious
doubt over veracity of the prosecution case. He has further

submitted that the daughter of petitioner no.1 has lodged an F.I.R. on 09.10.2015 implicating nephew and the brother of the informant and this is the reason why the present F.I.R. came to be lodged after lodging of the F.I.R. by the daughter of petitioner no.1. It has been stated that the petitioners have no criminal antecedent and all of them belong to the same family.

Considering the submissions, as above, this application is allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, 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 the Judicial Magistrate, 1st Class, Madhubani in Khajauli P.S.Case No. 146/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioners shall present themselves before the police/ court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

U			
---	--	--	--

