

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28563 of 2016

Arising Out of PS.Case No. -87 Year- 2015 Thana -BALIGAON District- VAISHALI(HAJIPUR)

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SANTOSH KUMAR PASWAN @ SANTOSH PASWAN Son of
Ramchandra Paswan Resident of village - Chakjado, P.S. Baligaon, District
- Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Y. Madhavi

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

5 21-11-2016 Heard Mr. Thakur for the petitioner and Mr. N.K.Sinha,

APP for the State.

The sole petitioner prays for grant of anticipatory bail
in Baligaon P.S. Case No. 87 of 2015 registered under sections
307 and 379 IPC.

In brief, the prosecution case is that when the informant
went to the field and found the she goats grazing it was
protested whereafter the accused persons arrived at the scene of
occurrence and the petitioner is alleged to have assaulted the
informant with iron road causing him simple injury.

The contention of the petitioner is that there is a
counter version of the case lodged by the mother of the informant
wherein at least 03 persons received injury at the hands of the
prosecution party. The said case was also registered on 06.12.2015

under section 307 IPC. It is stated that except the present one there is no other criminal case pending against the petitioner.

Considering the background of the case and the co accused of the counter case has since been granted the privilege of anticipatory bail, vide order dated 03.08.2016 passed in Cr. Misc. No. 21100 of 2016, a web copy whereof is handed in by Mr. Thakur which is taken on record and marked 'X' for identification, in my view, the petitioner deserves the privilege of anticipatory bail. Accordingly, in the event of arrest/surrender within four weeks from today, the petitioner shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of CJM, Vaishali at Hajipur in Baligaon P.S. Case No.87 of 2017 on condition that one of the bailors shall be his own/close family member. In the event of framing of charge, the petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall cancel his bail bonds.

(Kishore Kumar Mandal, J)

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