

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55113 of 2016

Arising Out of PS.Case No. -221 Year- 2016 Thana -BARBIGHA District- SEKHPURA

=====

1. Naro Paswan @ Arun Paswan, son of Baleshwar Paswan
2. Vikash Paswan
3. Mukesh Paswan
4. Saina Paswan,
Nos. 2 to 4 sons of Naro Paswan, all residents of village Gobarbigha, P.S.-
Asthawan, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 23-12-2016 As prayed, let appropriate correction be made in paragraph
1 of the anticipatory bail application in course of day.

After some arguments, considering the criminal antecedent
of petitioner no. 3, Counsel for the petitioners seeks permission of
the Court to withdraw the application on his behalf enabling him
to approach the Court below for grant of bail.

Prayer is allowed.

Rest of the petitioners pray for grant of anticipatory bail in
Barbigha P.S. Case No. 221 of 2016 registered under Sections
448, 148, 147, 323, 307, 504, 506 and 380 of the Indian Penal
Code and Section 27 of the Arms Act.

It is stated referring to F.I.R. that allegation of opening fire



is against co-accused Kamal Mian which, however, did not hit any one. The commission of theft of amount is against Nanhu Mian. The petitioners are the persons who were present at the scene. There is also general and omnibus allegation of assault with lathi, danda etc. to the informant causing no serious injury. It is stated that co-accused Kamal Mian and Nanhu Mian have been granted privilege of anticipatory bail vide order dated 25.10.2016 passed in Cr. Misc. No. 44371 of 2016. Petitioners have no criminal antecedent.

Considering the above, petitioner nos. 1, 2 and 4 abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Sheikhpura in Barbigha P.S. Case No. 221 of 2016 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further 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)

Pankaj/-

U		T	
---	--	---	--

