

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50893 of 2016

Arising Out of PS.Case No. -59 Year- 2016 Thana -KHAJEKALA District- PATNA

- =====
1. Bishnu Paswan
 2. Sanjay Paswan
 3. Pawan Paswan
 4. Bishal Paswan. All are son of- Karu Paswan. All are Resident of Mohalla- Ghashiyari Gali, P.S.- Khajekalla, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Roy, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 19-12-2016 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners are languishing in custody since 29.03.2016 in connection with S.Tr. No. 561/16, arising out of Khajekala P.S. Case No. 59/16 for offences punishable under Section 302 and other allied Sections of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that due to some petty dispute his neighbours 13 in number including the petitioners variously armed with fire-arm, *lathi*, *danda* came and assaulted the informant side, due to which five persons including the informant became seriously injured and one Chotu Paswan succumbed to his injuries.

It has been submitted by the learned counsel for



the petitioners that they are innocent, have no criminal antecedent and have falsely been implicated in the aforesaid case. It is submitted that there is general and omnibus allegation against the petitioners, no specific injury has been attributed to them and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. It is further submitted that on similar allegation another co-accused has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 31338 of 2016 on 04.10.2016.

However, learned APP for the State submits that the witnesses have supported the prosecution case, hence, opposes the prayer for bail.

Considering the facts and circumstances and another co-accused on similar allegation has since been granted the privilege of bail, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J. IVth, Patna City, in connection with S.Tr. No. 561/16, arising out of Khajekala P.S. Case No. 59/16.

(Nilu Agrawal, J.)

Rajesh/-

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

