

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26036 of 2017

Arising Out of PS.Case No. -240 Year- 2016 Thana -BALIA District- BEGUSARAI

- =====
1. Biltu Paswan S/o Basudev Paswan
 2. Pramod Paswan S/o Basudev Paswan
 3. Yugal Paswan S/o Basudev Paswan All are resident of Village- Manserpur, Police Station- Ballia, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Akbar Ali

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

- 3 27-07-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in connection with Balia P.S.
Case No. 240/16 for offences punishable under Sections
302/34 of the Indian Penal Code and Section 27 of the Arms
Act.

The prosecution case, as lodged by the informant, is
that her husband after having food went at the door of the
house to sleep, which is 40-50 meters away from the main
house. In the morning, she found her husband drenched with
blood and dead.

It has been submitted by the learned counsel for the



petitioners that they are innocent, bear clean antecedent and just because there was a petty fight long back between the informant's husband and the petitioners over a Nala, they have been made accused. He submits that there is no eye-witness to the alleged occurrence and the petitioners have been made accused only on the basis of suspicion and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged 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 learned Chief Judicial Magistrate, Begusarai, in connection with Balia P.S. Case No. 240/16, subject to the condition that both the bailors would be a close relative of the petitioners, who would have sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating their relationship with the petitioners and petitioners will appear before the learned court below during trial as and when required and failure to appear



on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J)

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