

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 26132 of 2017

Arising Out of PS.Case No. -189 Year- 2016 Thana -BUXAR INDUSTRIAL District- BUXAR

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1. Ravi Bhushan Paswan @ Bhadal Paswan
2. Badari Paswan Both Sons of Merhu Paswan
3. Dwarika Paswan Son of Muni Paswan
4. Naga Paswan Son of Thakur @ Raj Kumar Paswan
5. Raja Upadhayay Son of Vinod Upadhyay
6. Wakil Paswan Son of Vilayati Paswan.
7. Aditya Upadhayay @ Anti Son of Chhotan Upadhyay All Resident of Village-Dal Sagar, P.S.-Buxar (Ind) District Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 01-07-2017

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Buxar (Ind) P.S. Case No. 189 of 2016 dated 10.11.2016 instituted
under Sections 147/148/149/341/323/307 of the Indian Penal Code
and 27 of the Arms Act.

3. As per the prosecution, the petitioners came to the
place where the informant was sitting and started assaulting him and
also the petitioner no. 1 who is said to have fired on him. Learned



counsel submitted that no cause has been mentioned for the said occurrence but the injury report discloses only one abrasion caused by hard blunt substance but there is not even indication of firearm injury. It was further submitted that for the same occurrence, the wife of petitioner no. 1 has filed Buxar (Ind) P.S. Case No. 191 of 2016. Learned counsel submitted that the petitioners have clean antecedent.

4. Learned A.P.P. submitted that it is alleged that the petitioners had come with the intention to kill.

5. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in Buxar (Ind) P.S. Case No. 189 of 2016, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

6. The petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners. The petitioners shall also give an undertaking to the Court that they shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of their bail bonds. The petitioners shall cooperate in the trial and be present before the Court on each and every date. Failure to do so on two consecutive



dates, without sufficient cause, shall also lead to cancellation of their bail bonds.

(Ahsanuddin Amanullah, J)

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