

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31453 of 2017**

Arising Out of PS.Case No. -244 Year- 2015 Thana -PIRPAINTI District- BHAGALPUR

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1. Sheshnath Paswan,  
2. Meghnath Paswan, Both Son of Charitar Paswan, Resident of Village-  
Bakharpur, P.S.- Pirpainty , District- Bhagalpur.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shiwesh Chandra Mishra, Adv

For the Opposite Party/s : APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

3     11-08-2017             Heard learned counsel for the petitioners and learned APP  
for the State.

2. The petitioners are in custody since 25.02.2017 in connection with Pirpainti P.S. Case No. 244 of 2015 for the alleged offences under Sections 302 and 34 of the Indian Penal Code.

3. It is submitted that the petitioners have been falsely implicated as the accusation of having assaulted with *lathi danda* on the head of the informant's husband who subsequently died is not attributed to the petitioners. The informant has subsequently stated that all four accused persons have made the assault. The accusation is not corroborated by the post mortem report which discloses only one grievous injury on the head, apart from abrasion near the lips of simple nature. Similarly situated co-accused Ramdeo Paswan and Jaldhar Paswan have been granted bail by this Court in Cr. Misc. No. 26821 of 2017. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioners above named be



released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Sri S.K. Pandey, learned A.C.J.M., Bhagalpur in connection with Pirpainti P.S. Case No. 244 of 2015 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

**(Vikash Jain, J)**

Chandran/BT

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