

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4842 of 2017

Arising Out of PS.Case No. -175 Year- 2016 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

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1. Nande Paswan, Son of Rajendra Paswan
2. Deven Paswan, Son of Rajendra Paswan. Both Resident of Village-
Chhoti Pahari Mansur Nagar, P.S.- Soh Sarai, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-02-2017 Heard the parties.

This application has been filed in connection with Sohsarai
P.S. Case No. 175 of 2016 for the offence under Sections 341,
323, 307, 354A, 354B and 504/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that there is no
specific allegation has been levelled against the petitioners and
they have not even shown armed with any weapon. On the other
hand there is counter case filed by the petitioners' side against the
informant's side on the same day.

Heard learned A.P.P. also.

Having heard both sides. In view of the fact that no specific
allegation has been alleged against the petitioners of assault or any
overt act, simply they are members of the mob and there is counter
case lodged against the petitioners, let the petitioners, above



named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Soh Sarai P.S. Case No. 175 of 2016 , subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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