

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31567 of 2017**

Arising Out of PS.Case No. -116 Year- 2016 Thana -CHAUSA District- MADHEPURA

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1. Dharmendra Paswan @ Dharbendra Paswan, Son of Fulchand Paswan,  
2. Bikash Paswan, Son of Late Mahendra Paswan,  
Both Resident of Village- Chausa, P.S.- Chausa, District- Madhepura.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Kumar Uday Singh, Advocate

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      13-07-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Chausa P.S. Case No. 116 of 2016 instituted for the offence under Sections 457 and 380 of the Indian Penal Code.

It has been submitted that the petitioner has clean antecedent. He has been implicated in this case merely on suspicion.

It is alleged in the written report that while the informant had gone to attend marriage ceremony of son of her sister and on returning, he saw lap-top, watch etc. has been stolen from her house after breaking the lock of the house. The informant raised suspicion against this petitioner.

Besides suspicion, there is neither any specific overt act against the petitioner nor any recovery of incriminating article from his possession.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Chausa P.S. Case No. 116 of 2016, they shall be released on anticipatory 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 Sub Divisional Judicial Magistrate, Udakishanganj, Madhepura, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

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**(Sanjay Priya, J)**

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