

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36407 of 2017

Arising Out of PS.Case No. -105 Year- 2017 Thana -SHIVSAGAR District- SASARAM
(ROHTAS)

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1. Musa Paswan @ Musaphir Paswan,
2. Dina Paswan, Both sons of Late Ramdev Paswan,
3. Pritam Paswan, Son of Dina Paswan,
4. Sitara Devi, W/o Dina Paswan,
5. Niru Devi, W/o Makhu Paswan,
6. Bhikhai Devi @ Bhikhain Devi, W/o Musaphir Paswan @ Mula Paswan,
7. Rukmina Devi, W/o Lali Paswan, All resident of Village- Pathak Samari, P.S.- Baddi (Sheosagar), Distt- Rohtas.
8. Prabhu Paswan, Son of Ramesh Paswan, R/o Village- Khudiya, P.S.- Baddi (Sheosagar), District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-08-2017 Heard the parties.

The petitioners are apprehending their arrest in connection with Sheosagar (Baddi) P.S.Cae NO.105 of 2017, registered for offences punishable under Sections 341, 323 and 379 of the Indian Penal Code.

Allegation against the petitioners and other accused persons is that they have assaulted the informant and others and set their house on fire.

Submission of the learned counsel for the petitioner is that the petitioners have also filed a case against the informant and others under various Sections of the IPC as well as under Section



3 (i)(x(v) of the SC/ST (Prevention of Atrocities) Act and in order to save their skin, the present case has been filed and admittedly, there is dispute between the parties and the impugned order also shows that the injury report is not available on the record.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Sasaram in connection with Sheosagar (Baddi) P.S.Case No.105 of 2017, 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 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 bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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