

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57501 of 2017

Arising Out of PS.Case No. -220 Year- 2016 Thana -MAHUA District- VAISHALI(HAJIPUR)

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Abhay Paswan, S/o Chandu Paswan @ Chulhai Paswan, R/o Village-
Muksudpur Taj, P.S.- Mahua, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Rina Sinha, Advocate.

For the Opposite Party/s : Mr. Aditya Narayan Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Mahua P.S. Case No. 220 of 2016** instituted for the offence under Sections 147, 148, 149, 302, 307, 337, 338, 427 and 342 of the Indian Penal Code.

There is allegation against this petitioner that he along with other co-accused persons started pelting brick and stone when the informant went to collect the dead body of his son and to bring the same to his Darwaza. The name of this petitioner has come in second part of the occurrence as mentioned in the written report. He is not named in the 1st part of the occurrence wherein it is alleged that the accused persons as named in the 1st part has assaulted son of the informant, on account of which, he died.

The other co-accused persons with similar allegation have been granted anticipatory bail by coordinate Benches of this Court vide



order dated 14.12.2016 and 14.2.2017 passed in Cr. Misc. 52630 of 2016 and 2289 of 2017 respectively (Annexure-2).

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Mahua P.S. Case No. 220 of 2016**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Vaishali at Hajipur**, 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) petitioner 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 petitioner and (3) if petitioner tampers 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 petitioner.

(Sanjay Priya, J)

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