

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14992 of 2017

Arising Out of PS.Case No. -226 Year- 2016 Thana -JAGDISHPUR District- BHAGALPUR

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1. Kailash Paswan, Son of Late Sheo Nandan Paswan,
2. Kausaliya Devi, Wife of Kailash Paswan,
3. Ranjeet Paswan,
4. Kamal Paswan,
5. Diwakar Paswan,
6. Amrit Paswan, All 3 to 6 are Sons of Kailash Paswan,
7. Fekni Devi, daughter of Ram Kishun Paswan, All residents of Village- Ganeshpur, Tinpulia, P.S.- Jagdishpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 11-04-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Jagdishpur P.S. Case No. 226 of 2016 arising out of Complaint Case No. 2147 of 2015 instituted for the offence under Sections-380, 307 & other minor sections of the Indian Penal Code.

As per written report, when the informant had gone to worship in the temple along with the son, Jitendra Kumar, he saw all the accused persons including the petitioners attempted to demolish the public Dharmshala and when the complainant raised protest, they abused the complainant and his son and also assaulted them.

In this manner, from the written report itself, it appears that there is general and omnibus allegation against the petitioners.



In paragraph-3, it has been mentioned that petitioners have no criminal antecedent.

In such circumstances, this anticipatory bail petition is allowed and it is ordered that the petitioners named above, in the event of their arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Jagdishpur P.S. Case No. 226 of 2016 arising out of Complaint Case No. 2147 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur subject to conditions as laid down u/S 438(2) of the 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.

(Sanjay Priya, J)

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