

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10983 of 2017

Arising Out of PS.Case No. -375 Year- 2015 Thana -MAHUA District- VAISHALI(HAJIPUR)

- =====
1. Devendra Paswan S/o Sahindra Paswan,
 2. Budhu Paswan @ Buddu Paswan, S/o Ramprit Paswan Both Resident of Village- Mahua Mukundpur, P.S. Mahua, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 18-03-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Mahua P.S. Case No. 375 of 2015 for the offences punishable under sections 147, 148, 149, 353, 323, 332, 333, 307, 342, 337, 338 and 435 of the I.P.C and section 3/4 of the E.S.M. Act.

Allegedly, one Naresh Ram was killed then a mob of 200 peoples after keeping the dead body on the road blocked the traffic and assaulted the police personnel by pelting stones.

Submission is of false implication and that the accusation is against the mob, the petitioners have got clean



antecedents, in fact the mob was protesting against the murder of an innocent person, hence the police in order to save his skin lodged this case maliciously naming the petitioners and others and further co-accused Mithilesh Patel, Guddu Patel, Nitesh Patel, Shankar Patel, Akhilesh Patel, Heman Paswan and Chandradeep Paswan have already been allowed pre-arrest bail vide Cr. Misc. No. 54227 of 2015 by order dated 30.11.2015 and as such the petitioners also deserve sympathetic consideration

The learned A.P.P. fairly submits that similarly situated other co-accused, named above, have already been allowed pre-arrest bail.

In the facts and circumstances as stated above, the petitioners, namely, Devendra Paswan and Budhu Paswan @ Buddu Paswan, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Vaishali at Hajipur in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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