

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40670 of 2018

Arising Out of PS.Case No. -91 Year- 2018 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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1. Bhagwan Paswan son of Late Doma Paswan @ Hari Kishun Paswan
2. Vindhyachal Paswan son of Jogi Paswan
3. Sheio Shankar Paswan son of Hari Kishun Paswan
4. Nitesh Paswan @ Nitish Paswan son of Lallu Paswan
5. Chhotu Paswan @ Chhotu Kumar son of Moti Paswan All residents of
village Kurtha, P.S. Bhagwanpur (Belaon), District Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Bhagwanpur (Belon) P.S.Case no.91 of 2018 , registered for offences punishable under Sections 147, 148, 149, 323, 307, 332, 333, 353, and 427 of the Indian Penal Code.

Allegation against the petitioners is that the police force had gone to remove the encroachment and the petitioners & other accused persons assaulted them.

Submission of the learned counsel for the petitioners is that no specific overtact has been alleged against the petitioners and large numbers of persons have been made accused in this case.



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 six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-V, Kaimur at Bhabua in connection with Bhagwanpur (Belaon) P.S.Case No.91 of 2018 dated 6.5.2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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