

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60686 of 2018

Arising Out of PS.Case No. -26 Year- 2018 Thana -CHAUTHAM District- KHAGARIA

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1. Lalo Paswan,
2. Fulo Paswan, Both Sons of Bishwanath Paswan, R/o Vill.- Saraiya, P.S.-
Choutham, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-10-2018 The petitioners are in custody since 17.07.2018 in connection with Choutham P.S. Case No. 26 of 2018, registered for offences punishable under Sections 147, 341, 342, 323, 307, 379, 504, 506 of the Indian Penal Code and subsequently added Section 302 Indian Penal Code.

Allegation against the petitioners and other accused persons is of assault to the deceased, who succumbed to the injury. After 11 days, also added Section 302 I.P.C.

Submission of learned counsel for the petitioners is that the F.I.R. itself shows that there was scuffle between the parties and in the scuffle the deceased received injury. Further submission is that no specific allegation has been attributed rather only general and omnibus allegation of assault against the



petitioners. It has also submitted that the other accused person having similar allegation has been granted bail by a Coordinate Bench of this Court vide order dated 30.08.2018 passed in Cr. Misc. No. 50549 of 2018 and the petitioner is in custody since 30.08.2018.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances as stated above and also considering that nothing specific against the petitioners, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Khagaria, in connection with Choutham P.S. Case No. 26 of 2018, 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 petitioner shall cooperate in the disposal of trial and make themselves



available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

(Vinod Kumar Sinha, J)

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