

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9123 of 2018

Arising Out of PS.Case No. -226 Year- 2017 Thana -BELDAUR District- KHAGARIA

- =====
1. Dilip Paswan, son of late Mahabir Paswan,
 2. Prashant Kumar, son of Dilip Paswan, both are resident of village-Bobil,
P.S.-Beldaur, District-Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Advocate

For the Opposite Party/s : Mr. Indra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 05-04-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Beldaur P.S.**

Case No.226 of 2017 instituted for the offence under Section(s)

147, 148, 149, 323, 379, 435, 436, 504/34 Indian Penal Code.

It has been submitted that although petitioners are named in the First Information Report but there is no allegation of specific overt act against the petitioners.

In the written report, it is alleged that on the date of occurrence police was taking away accused, Wakil Paswan, after arresting him and in that process the petitioners and other accused arrived and attempted to forcibly rescue Wakil Paswan from the police and damaged the house of the informant.

In the facts and circumstances of the case, prayer of



the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Beldaur P.S. Case No.226 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, III, Khagaria**, 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) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds 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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