

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46802 of 2018

Arising Out of PS.Case No. -48 Year- 2018 Thana -ARIYARI District- SEKHPURA

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1. Kundan Paswan son of Raj Kumar Paswan
2. Raj Kumar Paswan son of late Ramganan Paswan Both are residents of village Diga P.S Ariari District Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar

For the Opposite Party/s : Mr. Arun Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-08-2018 The petitioners are apprehending their arrest in connection with Ariari P.S. Case No. 48 of 2018, registered for offences punishable under Sections 341, 323, 325, 307, 504, 506/34 of the Indian Penal Code.

Allegation against the petitioner no.1 is of assault by khanti on the head of informant and petitioner no. 2 is also named in the F.I.R.

Submission of learned counsel for the petitioners is that so far petitioner no.2 is concerned, there is general and omnibus allegation against him and so far petitioner no.1 is concerned, allegation of assault by khanti is false and concocted.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, so



far petitioner no.1 is concerned, I am not inclined to grant him privilege of anticipatory bail rather he should surrender and pray for regular bail which would be considered on the merit of the case without being prejudiced by order of this Court.

So far petitioner no.2 is concerned, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M, Sheikhpura, in connection with Ariari P.S. Case No. 48 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates



without showing any genuine reasons, the
prosecution is free to move for cancellation
of his bail bonds.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

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