

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42509 of 2018

Arising Out of PS.Case No. -126 Year- 2018 Thana -KAKO District- JEHANABAD

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1. Pappu Paswan son of Girani Paswan
2. Dharmendra Paswan son of Munni Paswan
3. Nanhe Paswan son of Shambhu Paswan
4. Lavkush Paswan son of Tunnu Paswan
5. Vicky Paswan @ Bkey son of Ravindra Paswan
6. Kamlesh Paswan @ Kamaresh Paswan son of Bijay Paswan
7. Uday Paswan alias Day Paswan son of Doman Paswan
8. Balmiki Paswan son of Late Saha Paswan
9. Govind Paswan son of Late Inderdeo Paswan All residents of Village Kako Paswan Tola, P.S. Kako, District Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Ehteshamuddin

For the Opposite Party/s : Mr. Sanjay Kumar Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-08-2018 Heard learned counsel for the petitioners as well as the State.

The petitioners apprehend their arrest in Kako P.S. Case No. 126/2018, instituted for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 332, 333, 337, 338, 188, 120(B), 427, 353, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is land dispute between the two communities, namely, Yadav and Paswan with regard to construction of house by Ramashish Paswan @ Amit Prem Karan. Title Suit No. 33 of 2018 is also



pending in the court of Munsif, Jehanabad. In the instant case, there is allegation that on the date of occurrence, there was altercation between two communities and when the informant along with other police personnel went to the place of occurrence to pacify the dispute then other accused persons after forming an unlawful assembly attacked the police party in which the informant and other police sustained injury. In the written report, there is no allegation of specific overt act against these petitioners. They are only alleged to be member of unlawful assembly.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Kako P.S. Case No. 126/2018, 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 learned A.C.J.M., Jehanabad, subject to the conditions as laid down under Section 438(2) of the 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 absence on two consecutive dates without proper and reasonable



reason will automatically cancel bail bond of the petitioners 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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