

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51616 of 2017

Arising Out of PS.Case No. -86 Year- 2017 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Shri Ram Paswan
 2. Kamleshwar Paswan
 3. Ranjeet Paswan
 4. Pragas Paswan
 5. Ajeet Paswan @ Ajeet Kumar
 6. Chhathhiya Devi &
 7. Muratiya Devi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-01-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Chiraiya P.S. Case No. 86 of 2017 instituted for the offence under Sections-307, 302 & other minor Sections of the Indian Penal Code.

It is alleged in the written report that all these petitioners along with co-accused Manjeet Paswan assaulted the father of the informant with Lathi, Danda, fist and slaps. The informant took his father to a private clinic for treatment and after treatment, returned to his house. The condition of father of the informant again became bad and he was again taking his father for treatment but in the way, he died.

The case diary was called, which has been received. The postmortem report is available in case diary. The doctor has found only



one injury on the right temple of the deceased.

It has been submitted that co-accused Manjeet Paswan with similar allegation has already been granted regular bail by a coordinate bench of this court vide order dated 09-11-2017 passed in Cr. Misc. No. 47790 of 2017.

Counsel for the informant has appeared and opposed the prayer. He has submitted that in the course of investigation, witnesses have supported the case. He submits that this is a fit case for regular bail.

Learned APP has submitted that only one injury has been found on the person of the deceased.

From the written report, it appears that there is allegation that eight (8) persons assaulted the father of the informant but only one injury has been found on the person of the deceased. There is no any specific allegation against these petitioners.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Chiraiya P.S. Case No. 86 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Sikarhana at Dhaka, East Champaran subject to condition as laid down u/S 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 liable to 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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