

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43546 of 2017

Arising Out of PS.Case No. -217 Year- 2013 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Raju Paswan S/o Dashrath Paswan
2. Bali Paswan S/o Mahadeo Paswan
3. Bhikhari Paswan @ Bhikhar Paswan S/o Maharaj Paswan
4. Ganaur Paswan S/o Batahu Paswan All are resident of Village- Kesaria,
P.S. Kesaria, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 09-01-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Kesariya P.S. Case
No. 217 of 2013 instituted for the offence under Sections
147,148,149,341,342,323,337,307,353,379,504,506 of the IPC.

Learned counsel for the petitioner has submitted that
there is general and omnibus allegation against this petitioner.

As per prosecution case lodged by one Santosh Kumar
S.I. of Keshariya Police Station, on 24.09.2013 Kesariya-
Sahebganj main road at Budh Stup, Raniwas Kesariya was
blocked due to altercation between two groups and on protest by
the police to remove the blockade this petitioner with other
accused persons assaulted the police party causing them injury and



damaged some articles kept in the police station.

Learned counsel for the State opposes the prayer of anticipatory bail.

Learned counsel for the petitioner has submitted that the case diary has been received, wherein, injuries found on the person of injured are simple in nature. He further submitted that other accused persons have already been granted anticipatory bail by this Court vide Cr. Misc. No. 32393 of 2017 passed in order dated 13.07.2017.

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 bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Kesariya P.S. Case No. 217 of 2013 to the satisfaction of learned C.J.M., East Champaran, Motihari 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 dated fixed by the court and absence on two



consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers 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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