

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73395 of 2018

Arising Out of PS. Case No.-364 Year-2018 Thana- PARBATTa District- Khagaria

1. Prashant Kumar, Son of Ramphal Das, Resident of Village- Madhavpur, P.S.- Parbatta.
2. Gaurav Kumar, Son of Kaushal Kishore, Resident of Village- Pitaunjhiya, P.S.- Gogri,
3. Sajan Paswan, Son of Chandradeo Paswan, Resident of Mohalla- Parmanand Pur, Lohiya Nagar, P.S.- Chitragupta Nagar,
4. Jitendra Paswan, Son of Gainu Paswan, Resident of Mohalla- Parmanandpur, P.S.- Muffasil.
5. Shamshad @ Md Shamshad, Son of Md. Ajhar, Resident of Village- Khirniya, P.S.- Mansi, All District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-12-2018 Heard the parties.

The petitioners seek regular bail in connection with Parbatta P.S.Case No.364 of 2018 dated 2.10.2018 registered for offences punishable under Sections 448, 323, 379, 354(B), 147, 148, 149, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioners and other accused persons is that they came variously arm and misbehaved with the female members of the informant and committed loot-pat and took away the ornaments and Rs.50,000/- in cash . The



petitioner no.1 is named in the FIR and others have been implicated in this case during the investigation of the case.

Submission of the learned counsel for the petitioners is that there is case and counter case between the parties and no specific allegation has been attributed against them and they are in custody for more than two months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-1st, Khagaria in connection with Parbatta P.S.Case No.364 of 2018 dated 2.10.2018..

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make themselves available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to



move for cancellation of his bail bond.

With the aforesaid observation, this application is
allowed.

(Vinod Kumar Sinha, J)

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