

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55255 of 2018

Arising Out of PS.Case No. -180 Year- 2012 Thana -HATHAURI District- MUZAFFARPUR

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1. Ankaj Paswan S/o Upendra Paswan, R/o Vill.- Madhopur, P.S.- Hathauri,
District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick, Adv.
Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Sri Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offence
alleged under Sections 395 and 397 of the Indian Penal Code and
Sections 25(1-b)A, 26 and 35 of Arms Act registered in Hathauri
P.S. Case No. 180 of 2012.

3. It is submitted that the petitioner has been falsely
implicated merely on the basis of statement of the mother of the
deceased. Petitioner is not named in the FIR. Petitioner claims
clean antecedents.

4. Having regard to the entirety of the facts and
circumstances, as such, in the event of the petitioner arrest or
surrender before the court below within six weeks from the date of
communication of this order, let the above named petitioners be
released on bail on furnishing bail bond of Rs. 10,000/- (ten



thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-cum-Sub-Judge-X, Muzaffarpur in connection with Hathauri P.S. Case No. 180 of 2012 subject to the conditions as laid down under Section 438(a) Cr.P.C. and also subject to the following further conditions:

- (i) That one of the bailors shall be a close relative of the petitioner.
- (ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- (iii) That the petitioner shall co-operative with the investigation, if not already concluded, and make him available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- (iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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