

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39072 of 2018**

Arising Out of PS. Case No.-47 Year-2018 Thana- NABINAGAR District- Aurangabad

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1. Bijendra Paswan @ Bijendra Ram, S/o Kashi Paswan,
  2. Rajendra Pal, Son of Late Rambilas Prasad, Both are resident of Village- BaghaDabar, P.S.- Nabinagar, Distt- Aurangabad.
  3. Shashi Singh @ Shashi Kumar Singh, Son of Subhash Singh @ Ramsubhag Singh, R/o Village- Damdi Bigha, P.S.- Nabinagar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

4      03-08-2018                      Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in Nabinagar P.S. case no. 47 of 2018 instituted for the offence under Section(s) 147, 148, 149, 341, 323, 324, 325, 307, 354, 435, 353, 332, 333, 379, 427, 504 and 120B of the Indian Penal Code.

Learned counsel has submitted that although petitioners are named in the written report, but there is no any allegation of specific overt act against these petitioners. Petitioners are alleged to be the member of unlawful assembly. In the written report, there is general and omnibus allegation against these petitioners. It is further pointed out that other co-accused with similar allegation has already been granted anticipatory bail by this Hon'ble Court vide order dated



23.7. 2018 passed in Cr. Misc. no. 42008 of 2018.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Nabinagar P.S. case no. 47 of 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 ACJM-I, Aurangabad, subject to the conditions as laid down under Section 438(2) 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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