

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 17501 of 2018

Arising Out of PS.Case No. -433 Year- 2017 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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1. Mukesh Paswan,
2. Rakesh Paswan,
3. Aman Paswan All are Sons of Sri Manoj Paswan @ Manij Kumar
Paswan, R/o Village- Chamua, P.S.- Shikarpur, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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For the Petitioner/s : Mr Radha Mohan Pathak, Advocate
For the S t a t e : Mr Indra Kumar Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 03-05-2018

Heard learned counsel for the petitioners and the APP

for the State.

Petitioners seek bail in a case registered under
Sections 341. 323. 324, 354, 379/34 of Indian Penal Code and
Section 8 of POCSO Act.

It is submitted by the learned counsel for the
petitioners that as a retaliatory measure to the Shikarpur Police
Station Case No 432 of 2017 lodged by the petitioners' mother,
this false case has been lodged implicating them along with their
family members. It is further submitted that bare perusal of the
first information report would show that the description of the
place of occurrence has not been disclosed. It is also submitted
that the issue has been settled between the parties and in support



of the same, a petition filed in the Court below, which is Annexure 3 to this application, has been placed. Prior to the instant case, the petitioners have no criminal antecedent and petitioner No 1 is in custody since 13.02.2018 whereas petitioners No 2 and 3 are in custody since 12.02.2018.

Considering the submissions aforesaid, prayer for bail is allowed. Let the petitioners above named be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, West Champaran, Bettiah in Shikarpur Police Station Case No 433 of 2017 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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