

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69738 of 2018

Arising Out of PS. Case No.-26 Year-2018 Thana- CHAUTHAM District- Khagaria

Santosh Paswan S/o Sikendra Paswan Resident of Village-Saraiya,P.S.
Chautham,Distt.-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar
For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-12-2018 Heard learned counsel for the parties.

Petitioner seeks bail in **Chautham P.S. Case No. 26 of 2018** registered for the offence punishable under Sections 147, 341, 342, 323, 307, 379, 504 and 506 of the Indian Penal Code.

Informant in his written complaint has alleged that on 16.02.2018 at about 6:00 pm there was altercation going on between Bhuneshwar Paswan and Sikandar Paswan and thereafter there was scuffle between the two and when the son of the Informant Randheer Kumar went to pacify then FIR named accused including the petitioner assaulted him by bamboo as a result of which he sustained injury and was



admitted in Primary Health Centre from where he was referred for better treatment to Sadar Hospital, Khagaria, where he died during the course of treatment.

It has been submitted on behalf of the petitioner that the allegation against him is general and omnibus in nature and there is land dispute between the parties. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 30.08.2018 in Criminal Miscellaneous No. 50549 of 2018 and 06.10.2018 in Criminal Miscellaneous No. 60686 of 2018. Petitioner has got no criminal antecedent and is in custody since 28.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Judicial Magistrate-1st Class, Khagaria**, in connection with **Chautham P.S. Case No. 26 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.



(3) If the petitioner 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 petitioner.

(S. Kumar, J)

ranjan/-

U			
---	--	--	--

