

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58164 of 2018

Arising Out of PS. Case No.-74 Year-2018 Thana- HARNAUT District- Nalanda

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1. Akhilesh Paswan
 2. Santosh Paswan Both sons of Bhaso @ Bindeshwar Paswan @ Bineshar Paswan, resident of Village- Panpanma, P.S.- Harnaut (Telmar), District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Sri Sakir Ahmad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 25-10-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners, who are in custody, seek bail in connection with Harnaut P.S. Case No. 74 of 2018 registered for the offence punishable under Sections 147, 148, 149, 447, 302 of the Indian Penal Code and Section 27 of Arms Act.

Allegation against petitioners is of abusing and assaulting the brother in law of informant, as a result of which brother in law of the informant sustained grievous injury and was taken to the Hospital where he was declared dead.

It has been submitted on behalf of the petitioners that petitioners are innocent and have been falsely implicated in this case. There is no specific allegation against them of assaulting



brother in law of informant and allegations made are general and omnibus in nature. It has been further submitted that petitioners have no criminal antecedent and they are in custody since 09.04.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Biharsharif, Nalanda, in connection with Harnaut P.S. Case No. 74 of 2018 subject to the conditions that:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bond.
- (3) If the petitioners 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 petitioners.

(S. Kumar, J)

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