

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38299 of 2018

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

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1. Sudama Paswan, Son of Ramashis Paswan,
2. Bhagwan Paswan, Son of Ramdeo Paswan @ Ramvrit Paswan, Both
resident of Village- Bagha Dabur, P.S.- Nabinagar, District- Aurangabad
(Bihar).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Leelawati Kumari, Adv.

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-07-2018 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

Petitioners are languishing in judicial custody since
26.02.2018 in connection with Nabinagar Town P.S. Case No.
47/2018, for offences alleged under Sections 147, 148, 149, 341,
323, 324, 325, 307, 354, 435, 353, 332, 333, 379, 427, 504 and
120B of the Indian Penal Code.

The prosecution case as lodged by the informant/police
personnel is that on the road, a boy was killed on which the
villagers became violent and when the police reached the place,
they demanded compensation. They resorted to violence, blocked
the road and damaged the police vehicle and also injured police
personnel.



It has been submitted by the learned counsel for petitioners that they are innocent were just passers by and bear no criminal antecedent. It is submitted that as many as 49 persons have been named in the F.I.R. No specific allegation has been levelled against any individual and there was also a mob of 400 people. It is submitted that one of the co-accused named in the F.I.R. has been granted privilege of bail in Cr. Misc. 36193/2018 vide order dated 29.06.2018 by a coordinate bench of this Court.

Learned A.P.P. for the State however, opposes the prayer for bail.

Considering the facts and circumstances of the case and material on record, let the petitioners named above, be enlarged on 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 learned Chief Judicial Magistrate, Aurangabad, in connection with Nabinagar Town P.S. Case No. 47/2018, subject to the condition that

(1.) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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