

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5646 of 2019

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

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BHASO @ BINDESHWAR PASWAN Late Samindera Paswan Resident of
Village- Panpanva, P.S.- Harnaut, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Harnaut (Telmar) 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 27 of Arms Act.

Allegation against petitioner and other co-accused 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 petitioner that
he is innocent and has been falsely implicated in this case due to
land dispute between the parties. There is no specific allegation
against petitioner of assaulting brother-in-law of informant. It
has been further submitted that similarly placed co-accused
persons, namely, Akhilesh Paswan and Santosh Paswan have



been granted bail by this Hon'ble Court vide order dated 25.10.2018 passed in Cr. Misc. No. 58164 of 2018. Petitioner is in custody since 07.04.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Harnaut (Telmar) 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) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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)

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