

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17548 of 2019**

Arising Out of PS. Case No.-123 Year-2018 Thana- NAGARNAUSA District-
Nalanda

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1. Chandeshwar Paswan @ Chandra Shekhar Paswan aged about 60 years, male, Son of Late Dina Paswan Resident of Village- Andari, Police Station- Gaurichak, District- Patna.
2. Ranjan Paswan @ Ranjay Paswan, male, aged about 25 years, Son of Chandeshwar Paswan @ Chandra Shekhar Paswan Resident of Village- Andari, Police Station-Gaurichak, District- Patna.
3. Tuni Devi aged about 20 years, female, Wife of Ranjan Paswan Resident of Village-Andari, Police Station- Gaurichak, District- Patna.
4. Sarwan Paswan aged about 45 years, male, Son of Bishundhari Paswan Resident of Village-Chaurasi, Police Station- Nagarnausa, District- Nalanda.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Anil Kumar Singh, Advocate.

For the Opposite Party: Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 27-03-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 304B, 201/34 of the Indian Penal Code registered in connection with Nagarnausa P.S. Case No. 123 of 2018.

3. It is submitted that the petitioners have been falsely implicated and in any event there is no specific accusation whatsoever against the petitioners. The petitioner no. 4 is the



uncle-in-law of the informant and petitioner nos. 1, 2 and 3 are his relatives and co-villagers of the informant with whom there is past enmity in the backdrop of Gaurichak P.S. Case No. 129 of 2014 pending against the informant's side. Petitioner no. 4 is pattidar of the husband of the deceased and partition had taken place about 50 years ago. Petitioner nos. 1 to 3 are residing about 25 K.M. away from the matrimonial village of the deceased. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Nagarnausa P.S. Case No. 123 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves



available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner nos. 1, 2, and 4 shall remain physically present and petitioner no. 3 shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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