

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25987 of 2019

Arising Out of PS. Case No.-255 Year-2018 Thana- BIDUPUR District- Vaishali

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1. LALA PASWAN Son of Laxman Paswan, Resident of Village-Gopalpur Chakai, P.S-Bidupur, District-Vaishali.
 2. Dharmendra Paswan Son of Sukhnandan Paswan, Resident of Village-Gopalpur Chakai, P.S-Bidupur, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 22-04-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 324, 307, 354, 379/34 IPC registered in connection with Bidupur P.S. Case No. 255 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of petty dispute and there is case and counter case between the parties. Specific accusation of assault is on co-accused Bhim Paswan whereas the accusation against the petitioners is general and omnibus in nature. There is no injury report on record to indicate that the injuries are grievous in nature. 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 provisional anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM XIV, Vaishali, Hajipur, in connection



with Bidupur P.S. Case No. 255 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 shall be a close relative of the petitioners.
 - ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
 - iii. That the petitioners shall co-operate 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. The petitioners shall remain physically present 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.
5. That the provisional bail granted to the petitioners shall stand confirmed upon verification by the learned Court below that there is no grievous injury caused to the informant. In case the petitioners' claim fails upon verification, their bail bonds shall stand automatically cancelled.

(Vikash Jain, J)

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