

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26308 of 2019**

Arising Out of PS. Case No.-412 Year-2018 Thana- KUDRA District-
Kaimur (Bhabua)

=====

KRISHNA KUMAR PASWAN, aged about 25 years, male, Son of Mahendra Paswan Resident of Village- Mathachak, P.S.- Kudra, District- Kaimur at Bhabua.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Rajani Kant Pandey, Advocate.

For the Opposite Party: APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 149, 323, 324, 325, 338, 307, 379, 448, 427, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Kudra P.S. Case No. 412 of 2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of communal dispute and there is case and counter case between the parties. The accusation of assault is general and omnibus in nature. It is submitted that the injuries are simple in nature. Similarly situated co-accused persons have been granted anticipatory bail in Cr. Misc. No. 21765 of 2019. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named



petitioner be released on provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Kudra P.S. Case No. 412 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 petitioner.

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

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself 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 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

5. That the provisional bail shall be confirmed upon verification by the learned Court below that the injuries are simple in nature. In case the petitioner's claim fails upon verification, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

lbrar//-

U		T	
---	--	---	--

