

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27445 of 2019

Arising Out of PS. Case No.-137 Year-2018 Thana- ASANWA District- Siwan

1. LAKSHMAN PASWAN Son of Late Ganga Paswan Resident of Village - Shiopur Sakra, P.S.- Assaon, Dist.- Siwan.
2. Dharmendra Ram Son of Baharan Ram Resident of Village - Shiopur Sakra, P.S.- Assaon, Dist.- Siwan.
3. Dina Ram @ Dina Nath Ram Son of Late Gorakh Ram Resident of Village - Shiopur Sakra, P.S.- Assaon, Dist.- Siwan.
4. Nand Lal Ram @ Nand Prasad Ram Son of Late Bhagrasan Ram Resident of Village - Shiopur Sakra, P.S.- Assaon, Dist.- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanhaiya Pandey
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 26-04-2019 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, 379, 307,448,504,506/34 IPC registered in connection with Assaon P.S. Case No. 137/2018.

3. It is submitted that the petitioners have been falsely implicated and there is considerable delay in institution of the FIR on 17.12.2018 for the alleged occurrence of 05.12.2018. As a matter of fact, the petitioners' side had instituted Assaon P.S. Case No. 131/2018 on 06.12.2018 itself and the present case has been filed only as a counter blast. The accusation of assault on informant's mother-in-law Fulpati Devi is attributed to co-accused Sonu Kumar and not on these petitioners. The accusation of taking away mobile, cash of Rs. 7,500/- and gold chain are mere embellishment. 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 CJM Siwan, in connection with Assaon P.S. Case No. 137/2018, 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.

(Vikash Jain, J)

Chandran/-

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

