

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31182 of 2019**

Arising Out of PS. Case No.-25 Year-2019 Thana- KAKO District-
Jehanabad

- =====
1. HANS PASWAN, aged about 40 years, male, Son of Late Dhuri Paswan Resident of Village - Algana, P.S.- Kako, District - Jehanabad.
 2. Kamlesh Paswan, aged about 25 years, male, Son of Suryadeo Paswan Resident of Village - Algana, P.S.- Kako, District - Jehanabad.
 3. Gaurav Paswan @ Gaurav Kumar, aged about 22 years, male, Son of Manoj Paswan Resident of Village - Algana, P.S.- Kako, District - Jehanabad.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Kunwar Digvijay Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 14-05-2019

Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 447, 341, 323, 325, 504, 506, 427 and 307/34 of the Indian Penal Code registered in connection with Kako P.S. Case No. 25 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of petty dispute. The accusation of assault is general and omnibus without any specific assault attributed individually. Injuries resulting from the assault alleged against the petitioners are simple in nature. The petitioner no. 1 has one prior case in which he is on bail while petitioner nos. 2 and 3 have 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 Sri Umesh Kumar, learned Judicial Magistrate 1st Class, Jehanabad in connection with Kako P.S. Case No. 25 of 2019, 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 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 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)

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