

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40427 of 2019

Arising Out of PS. Case No.-436 Year-2018 Thana- BUDDHACOLONY District- Patna

DAMODAR PASWAN Son of Ambika Paswan Resident of Village -
Ratanpur, P.S.- Bariarpur, Distt - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indu Bhushan

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 02-07-2019 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, 188, 341, 342, 323, 324, 325, 307,326, 332, 333, 337, 338, 353, 427, 449, 450, 451, 452, 461, 120B IPC and Section 3 and 4 of the Prevention of Damage to Public Property Act registered in connection with Buddha Colony P.S. Case No. 436 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the FIR is against 167 named and 300-350 unknown persons. No specific overt act has been alleged against the petitioner. For the same occurrence two separate FIRs have been filed on the same day, the other FIR being Buddha Colony P.S. Case No. 435 of 2018. Similarly situated co-accused persons namely, Neetu Kumari and Raj Kishore Yadav have been granted anticipatory bail by this Court in Cr. Misc. No. 32201 of 2019 and Cr. Misc. No. 39337 of 2019, respectively. Except the aforesaid Buddha Colony P.S. Case No. 435 of 2018 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 bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub Judge XVI, Patna in connection with Buddha Colony P.S. Case No. 436 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 co-operate 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. 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.

(Vikash Jain, J)

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