

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42091 of 2019**

Arising Out of PS. Case No.-241 Year-2015 Thana- GOGRI District-
Khagaria

- =====
1. TUNTUN PASWAN, aged about 65 years, male, S/o Late Bachchi Paswan Resident of New police Line, Kanke Road, Post and P.S.- Ranchi University, District- Ranchi (Jharkhand)
 2. Mithun Paswan @ Mithun Kumar Paswan, aged about 30 years, male, S/o Tuntun Paswan Resident of New police Line, Kanke Road, Post and P.S.- Ranchi University, District- Ranchi (Jharkhand)

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Rajesh Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-07-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 323, 341, 452, 506 of the Indian Penal Code registered in connection with Gogari P.S. Case No. 241 of 2015.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of case and counter case between the parties as the petitioners' side had instituted Gogari P.S. Case No. 242 of 2015 on the same day. No injury has been caused to anyone which belies the accusation of assault upon the informant and his family members. The accusations are general and omnibus in nature. Other co-accused Shiv Kishore Paswan and Kamdeo Paswan has been granted bail by the learned court below on 01.07.2019. 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 Sri S.N. Tripathi, learned Judicial Magistrate 1st Class, Khagaria in connection with Gogari P.S. Case No. 241 of 2015, 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(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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