

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73391 of 2018**

Arising Out of PS. Case No.-155 Year-2018 Thana- SULTANGANJ District-
Bhagalpur

- =====
1. Gopal Paswan Son of Arjun Paswan,
 2. Basuki Paswan, Son of Late Jitan Paswan, Both Resident of Village-Asiyachak, P.S.-Sultanganj, Distict-Bhagalpur.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Diwakar Upadhyaya, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 11-03-2019 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, 307, 504/34 of the Indian Penal Code registered in connection with Sultanganj P.S. Case No. 155 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of petty dispute and there is case and counter case between the parties. The thrust of assault on the informant's head with iron rod is on co-accused Arvind Paswan resulting in grievous injury on the head. The accusations against the petitioners are said to have assaulted with lathi, dunda is general and omnibus. There is considerable delay in institution of the F.I.R. on 01.07.2018 for the alleged occurrence of 24.05.2018. 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 Additional Chief Judicial Magistrate-1st, Bhagalpur in connection with Sultanganj P.S. Case No. 155 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 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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