

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42003 of 2019

Arising Out of PS. Case No.-132 Year-2019 Thana- SHIVSAGAR District- Rohtas

1. RAM LAL PASWAN son of Misri Paswan Resident of Village - Khudhiya, P.S.- Shivsagar, Distt - Rohtas.
2. Bittu Paswan Son of Ram Lal Paswan Resident of Village - Khudhiya, P.S.- Shivsagar, Distt - Rohtas.
3. Shyam lal Paswan Son of Misri Paswan Resident of Village - Khudhiya, P.S.- Shivsagar, Distt - Rohtas.
4. Hiralal Paswan Son of Misri Paswan Resident of Village - Khudhiya, P.S.- Shivsagar, Distt - Rohtas.
5. Ankit Lal Paswan @ Antim Lal Paswan Son of Misri Paswan Resident of Village - Khudhiya, P.S.- Shivsagar, Distt - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Krishna Prasad Singh, Sr. Advocate
		Mr.Bhaskar Shankar
For the Opposite Party/s :		Mr. J.K.Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 10-07-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 325, 354, 504, 506/34 IPC registered in connection with Shivsagar (Boddi) P.S. Case No. 132/2019.

3. It is submitted that the petitioners have been falsely implicated and in any event on a perusal of the averments in the FIR the ingredients of the offence under Section 354 IPC are not made out against the petitioners in absence of any allegation with regard to intention to outrage the modesty of the informant's grand daughter. All other offences alleged are bailable. There is admitted land dispute between the parties, who are close agnates and the FIR has been lodged owing to family disputes. 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 ACJM, Sasaram (Rohtas), in connection with Shivsagar (Boddi) P.S. Case No. 132/2019., 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 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)

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