

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.41403 of 2019**

Arising Out of PS. Case No.-68 Year-2017 Thana- KURSAILA District-  
Katihar

- =====
1. SINTU PASWAN @ SINTU KUMAR, aged about 18 years, male, S/O-  
Buddhan Paswan R/O- Koshkipur, Nayatola, P.S.- Kursela, Distt.- Katihar.
  2. Suraj Paswan @ Suraj Kumar, aged about 19 years, male, S/O- Balram  
Paswan R/O- Koshkipur, Nayatola, P.S.- Kursela, Distt.- Katihar.
  3. Gopal Paswan @ Gopal Kumar, aged 21 years, male, S/O- Balram Paswan  
R/O- Koshkipur, Nayatola, P.S.- Kursela, Distt.- Katihar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Partys

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**Appearance :**

For the Petitioners : Mr. Sanjeev Kumar Singh, Advocate.

For the Opposite Party: APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

2      05-07-2019                      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, 149, 341, 323, 325, 506, 307 of the Indian Penal Code registered in connection with Kursela P.S. Case No. 68 of 2017.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of petty dispute. The accusation of assault with iron rod by petitioner no. 3 upon the informant is not corroborated by the injury report which discloses injury by sharp cutting weapon. The accusation of assault is general and omnibus against the petitioner nos. 1 and 2. In any event the injuries are all simple in nature. The petitioners claim 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 Chief Judicial Magistrate, Katihar in connection with Kursela P.S. Case No. 68 of 2017, 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)**

Ibrar/BT

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