

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71388 of 2018**

Arising Out of PS. Case No.-289 Year-2018 Thana- ALOULI District-
Khagaria

- =====
1. Renu Devi W/o Fulen Paswan
 2. Sudhir Paswan S/o Wakil Paswan
 3. Fulen Paswan S/o Wakil Paswan
 4. Abhishek Kumar S/o Fulen Paswan
 5. Anjali Devi W/o Sudhir Paswan
 6. Saraswati Devi W/o Wakil Paswan All are Resident of Village-Rampur Alauli,P.S. Alauli,Distt.-Khagaria

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 01-03-2019 Heard learned counsel for the petitioner no. 2 and
learned APP for the State.

2. The petitioner no. 2 apprehends his arrest for the offences alleged under Sections 147, 148, 341, 324, 307 and 504 of the Indian Penal Code registered in connection with Alauli P.S. Case No. 289 of 2018.

3. It is submitted that the petitioner no. 2 has been falsely implicated and the accusation of assault by *dabia* upon the informant is not corroborated by any injury report and in fact no injury has been sustained by the informant. The petitioner no. 2 has two prior cases in which he is made accused which are however of different nature.

4. Pursuant to the order dated 18.12.2018, calling for a



copy of the case diary and injury report, it transpires that the case diary has been received but however the same is not accompanied by any injury report.

5. Be that as it may, in the event of the petitioner no. 2's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner Sudhir Paswan 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, Khagaria in connection with Alauli P.S. Case No. 289 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 no. 2.

(ii) That the petitioner no. 2 shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner no. 2 shall cooperate 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) That the petitioner no. 2 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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