

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50400 of 2019

Arising Out of PS. Case No.-131 Year-2018 Thana- ASANWA District- Siwan

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1. SHIV SHANKAR MANJHI @ SHIV SHANKAR PASWAN S/o Late Bhagwat Paswan
 2. Bimla Devi @ Vimal Devi W/o Bharat Paswan
 3. Usha Devi W/o Shiv Shankar Paswan
 4. Kamlawati Devi W/o Harendra Paswan
 5. Kalawati @ Kalawati Devi W/o Late Bhagwat Paswan
 6. Bharat Prasad @ Bharat Paswan Son of Late Suchit Paswan
all resident of village- Sheopur Sakra, P.S.- Asaon, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 14-08-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Asaon P.S. Case No. 131 of 2018
registered for offence punishable under sections 341, 323, 337,
338, 379, 354 (B), 504, 506/34 of the Indian Penal Code.

There is case and counter case from both sides.

Allegation has been made that on 19.05.2018 while
the informant was cultivating his land, Shiv Shankar Paswan
objected the tilling whereupon the informant produced the



record before the Panches which Shiv Shankar Paswan took and fled away from there. While construction was made on 05.12.2018, the accused persons came, abused and told the informant to flee away from there whereupon reply was given that they were constructing the house on their own land. Both sides have altercated.

The learned counsel for the petitioners submits that from the side of petitioners, one person has already died.

Looking to the nature of allegation, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with Asaon P.S. Case No. 131 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by



the court. Whenever the Police will call the petitioners for the purpose of interrogation/investigation, they would present themselves, In case of failure on two consecutive dates without any valid reason, the prosecution will have liberty to make a prayer for cancellation of their bail before the court below.

(Shivaji Pandey, J)

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