

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80110 of 2018

Arising Out of PS. Case No.-53 Year-2018 Thana- NAVINAGAR District- Aurangabad

Bali Paswan son of Ramjee Paswan, resident of village Baghadabur, P.S.
Nabinagar, District Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Leelawati Kumari

For the Opposite Party/s : Mr.Sri Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 09-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Nabinagar P.S. Case No. 53 of 2018** registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 427, 435, 337, 379 and 504 of the Indian Penal Code.

Informant who is cleaner of Highwa has stated in his written complaint that on 25.02.2018 while he was proceeding towards Nabinagar with Highwa vehicle a 4 year old child died on the road in an accident and thereafter 200 to 250 unknown persons surrounded the vehicle and brutally assaulted the driver of said vehicle and also snatched Rs. 2200/- from him and set vehicle on fire in which all documents were burnt. Although the incident is of 25.02.2018 but he has instituted this case on 28.02.2018.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. For the same incident one FIR was instituted by the Sub Inspector of Police giving rise to Nabinagar P.S. Case No. 47 of 2018 dated 26.02.2018 in which petitioner was also named accused and has been granted bail and for similar offence another case has been instituted by the cleaner of the vehicle. Except these two cases petitioner is not accused in any other case. Petitioner has been remanded in this case on 26.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Aurangabad** in connection with **Nabinagar P.S. Case No. 53 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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