

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59080 of 2019

Arising Out of PS. Case No.-106 Year-2019 Thana- MANPUR District- Nalanda

1. PRAVESH PASWAN Son of Brahamdev Paswan Resident of Village and Post- Hargawan, Police Station- Manpur, District- Nalanda.
2. Dhuri Paswan Son fo Late Brijnandan Paswan Resident of Village and Post- Hargawan, Police Station- Manpur, District- Nalanda.
3. Rahul Paswan Son of Birjan Paswan Resident of Village and Post- Hargawan, Police Station- Manpur, District- Nalanda.
4. Banarsi Paswan Son of Late Sukhdeo Paswan Resident of Village and Post- Hargawan, Police Station- Manpur, District- Nalanda.
5. Karu Paswan Son of Birjan Paswan Resident of Village and Post- Hargawan, Police Station- Manpur, District- Nalanda.
6. Guddu Paswan Son of Birjan Paswan Resident of Village and Post- Hargawan, Police Station- Manpur, District- Nalanda.
7. Harichandra Paswan Son of Late Brahmdeo Paswan Resident of Village and Post- Hargawan, Police Station- Manpur, District- Nalanda.
8. Santosh Paswan Son of Late Brijnandan Paswan Resident of Village and Post- Hargawan, Police Station- Manpur, District- Nalanda.
9. Surendra Paswan Son of Late Brahmdeo Paswan Resident of Village and Post- Hargawan, Police Station- Manpur, District- Nalanda.
10. Masudan Paswan Son of Birjan Paswan Resident of Village and Post- Hargawan, Police Station- Manpur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi
For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 18-09-2019 Learned counsel for the petitioners states that the petitioner no. 1, has already been arrested and seeks permission to withdraw the anticipatory bail petition as against him, as the same has become infructuous.

2. Permission is accorded. Anticipatory bail petition as



against petitioner no. 1 is permitted to be withdrawn and is dismissed as such.

3. The petitioner nos. 2 to 10 apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 379, 452, 506, 504 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Manpur P.S. Case No. 106/2019.

4. It is submitted that the petitioner nos. 2 to 10 have been falsely implicated and there is case and counter case between the parties. The FIR has been instituted against as many as 15 accused persons. The accusation of assault is not corroborated as there is no injury report. The accusation of entering the house of the informant and snatching the ear-ring of his wife is mere embellishment. The petitioner nos. 2 to 10 claim clean antecedents.

5. Be that as it may, in the event of arrest or surrender by petitioner nos. 2 to 10 before the court below within six weeks from the date of communication of this order, let the above named petitioner nos. 2 to 10 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 Sessions Judge, Nalanda, in connection with Manpur P.S. Case No. 106/2019, 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 petitioner nos. 2 to 10.

ii. That the petitioner nos. 2 to 10 shall not indulge in any similar



offence till conclusion of the trial.

iii. That the petitioner nos. 2 to 10 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 petitioner nos. 2 to 10 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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