

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61234 of 2019

Arising Out of PS. Case No.-14 Year-2019 Thana- MAHILA P.S. District- Vaishali

1. FEKAN PASWAN Son of Late Brahmdeo Paswan Resident of Village- Chaitola, P.S.- Hajipur, District- Vaishali.
2. Munni Devi Wife of Fekan Paswan Resident of Village- Chaitola, P.S.- Hajipur, District- Vaishali.
3. Rajballabh Paswan @ Pappu Kumar Son of Fekan Paswan Resident of Village- Chaitola, P.S.- Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ranjay Kumar Singh
For the State	:	Mr.Choubey Jawahar
For the Informant	:	Ms. Sonita Bajaj

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 14-10-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 504, 506, 376/34 of the Indian Penal Code registered in connection with Hajipur Mahila P.S. Case No. 14/2019.

3. It is submitted that the petitioners has been falsely implicated and as a matter of fact the informant admittedly had a love affair with co-accused Chandra Bhushan Kumar, who established physical relationship with her on the promise of marriage, but subsequently resiled from the promise. The petitioners have been implicated merely because they happen to be the father, mother and brother respectively, of the said co-accused Chandra Bhushan Kumar. The accusation under Section 376 of the Indian Penal Code is not made out against these petitioners. The petitioners' claim clean antecedents.

4. Learned APP assisted by learned counsel for the informant appears and opposes the anticipatory bail petition.



5. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners 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 SDJM, Hajipur, Vaishali, in connection with Hajipur Mahila P.S. Case No. 14/2019, 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 petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners 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 no. 2 shall be well represented in Court on each and every date during trial except as and when directed by the learned Court below to be physically present and petitioner nos. 1 and 3 shall remain physically present in Court 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)

Chandran/-

U		T	
---	--	---	--

