

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60391 of 2019

Arising Out of PS. Case No.-302 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

PARMESHWAR PASWAN Son of Jawahar Paswan Resident of Village-
Gospur, P.S.- Sadar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 26-09-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 447, 147, 148, 149, 341, 323, 307, 354(B), 385, 379, 504, 506 of the Indian Penal Code registered in connection with Hajipur Sadar P.S. Case No. 302/2019.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute. The present FIR has been lodged in retaliation to the earlier FIR instituted by the petitioner's side in Sadar P.S. Case No. 288/2019 under Sections 341, 323, 387, 504 of the Indian Penal Code. Title Suit No. 270 of 2019 is also pending between the parties apart from a proceeding under Section 144 Cr.P.C. It is further submitted that the injury report of the informant does not disclose any external injury. The accusations under Section 354(B) and 385 and 379 of the Indian Penal Code are mere embellishment. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner 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 CJM, Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No. 302/2019, 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.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate 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. The petitioner 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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