

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65906 of 2019**

Arising Out of PS. Case No.-93 Year-2019 Thana- ROHTAS District- Rohtas
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1. KRISHNA PASWAN Son of Late Sundar Paswan @ Sundar Ram Resident of Village- Bajitpur, Banjari, P.S.- Rohtas, District- Rohtas.
2. Vipin Paswan Son of Late Sundar Paswan @ Sundar Ram Resident of Village- Bajitpur, Banjari, P.S.- Rohtas, District- Rohtas.
3. Pravesh Paswan Son of Katar Paswan Resident of Village- Tilauthu, P.S.- Tilauthu, District- Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Rajani Kant Singh, Advocate.

For the Opposite Party: Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 04-11-2019 Learned counsel for the petitioners states that the petitioner no. 2 has been arrested and as such the anticipatory bail petition has become infructuous and seeks permission to withdraw the same.

2. Permission is accorded. The anticipatory bail petition of petitioner no. 2 stands dismissed as withdrawn.

3. The petitioners (except petitioner no. 2) apprehend their arrest for the offences alleged under Sections 448, 341, 323, 504, 307 and 354B/34 of the Indian Penal Code registered in connection with Rohtas P.S. Case No. 93 of 2019.

4. It is submitted that the petitioners (except petitioner no. 2) have been falsely implicated in the backdrop of petty dispute as the parties are neighbours. The accusations of assault are not corroborated and in any event all the injuries are simple in nature. The accusation under Section 354B IPC are



mere embellishment. The petitioners (except petitioner no. 2) claim clean antecedents.

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 (except petitioner no. 2) 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 Sub-Divisional Judicial Magistrate, Dehri, District- Rohtas in connection with Rohtas P.S. Case No. 93 of 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 (except petitioner no. 2).

(ii) That the petitioners (except petitioner no. 2) shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners (except petitioner no. 2) shall cooperate 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) That the petitioners (except petitioner no. 2) 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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