

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69938 of 2019

Arising Out of PS. Case No.-195 Year-2019 Thana- DULHIN BAZAR District- Patna

1. Sailendra Paswan @ Shailendra Paswan @ Salendra Paswan, Son of Baleshwar Paswan, Resident of Village - Selhauri, P.S.- Dulhin Bazar, Distt - Patna.
2. Rajindra Paswan @ Rajendra Paswan, Son of Baleshwar Paswan, Resident of Village - Selhauri, P.S.- Dulhin Bazar, Distt - Patna.
3. Sushil Paswan, Son of Rajindra Paswan @ Rajendra Paswan, Resident of Village - Selhauri, P.S.- Dulhin Bazar, Distt - Patna.
4. Praveen Paswan, Son of Rajindar Paswan @ Rajendra Paswan, Resident of Village - Selhauri, P.S.- Dulhin Bazar, Distt - Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ajay Kumar Sinha, Advocate
For the Opposite Party : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioners and

learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Dulhin Bazar P.S. Case No.195 of 2019 registered for the offences punishable under Sections 341, 323, 354, 379, 448 and 504 read with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that all the sections except Sections 354 and 379 of the Indian Penal Code are bailable in nature. Even if the allegations made in the FIR are taken to be true at their face



value, the ingredients of the offence punishable under Section 354 of the Indian Penal Code would not be attracted against the petitioners. As far as section 379 of the Indian Penal Code is concerned, the allegation is general and omnibus and the same is ornamental in nature and has been levelled to make the offence graver.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Considering the facts and circumstances of the case and the submission made above, in the event of arrest or surrender in the court below within a period of six weeks, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Danapur, Patna in connection with Dulhin Bazar P.S. Case No.195 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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