

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81568 of 2019

Arising Out of PS. Case No.-271 Year-2019 Thana- BARHARIA District- Siwan

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Pawan Kumar Son of Laxuman Prasad @ Lakshaman Shah Resident of
Village- Gausihata Tola (Dhuman Nagar), P.S.- Barharia, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in **Bahariya P.S.**
Case No. 271 of 2019, registered for the offences punishable
under Sections 341, 323, 324, 307, 504, 506 and 34 of the
Indian Penal Code.

Prosecution case is that on 05.08.2019 at 10.00 am,
four named accused persons including this petitioner and four-
five unknown persons forcibly making construction over the
land of informant. On protest by the informant, all the accused
persons started assaulting the informant with rod, pipe and Daab
as a result whereof, the informant sustained head injury and
blood started oozing out, when his brother came to his rescue,
he was also assaulted by the accused persons. Petitioner is



alleged to have snatched Rs. 12,000/- from his pocket.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. There is general and omnibus allegation against this petitioner. Only one injury caused to the informant which is said to be grievous in nature. Both sides are pattidar. Admittedly, there is land dispute between the parties. Petitioner has got no criminal antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Siwan** in connection with **Bahariya P.S. Case No. 271 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates



without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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