

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1431 of 2020

Arising Out of PS. Case No.-262 Year-2019 Thana- SARAI District- Vaishali

1. ARJUN PASWAN S/o Suresh Paswan R/o Resident of Village- Bhojpatti, P.S.- Sarai, District- Vaishali.
2. Pankaj Paswan S/o Suresh Paswan R/o Resident of Village- Bhojpatti, P.S.- Sarai, District- Vaishali.
3. Rajesh Paswan S/o Nanhak Paswan R/o Resident of Village- Bhojpatti, P.S.- Sarai, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Prasad Singh

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 18-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered under Sections 379, 34 and 411 of the Indian Penal
Code.

Allegedly, prior to the alleged occurrence, the villagers of
the informant was uprooting the pump of 3 H.P. but the same



was witnessed by uncle of the informant as a result of which, the accused persons fled away. Later on, the same pump was stolen by accused persons.

It has been submitted on behalf of the petitioners that the petitioner Nos. 2 & 3 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. As per FIR, only suspicion has been raised against the petitioners for committing theft. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Vaishali at Hajipur in connection with Sarai P.S. Case No. 262 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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