

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2035 of 2020

Arising Out of PS. Case No.-103 Year-2019 Thana- PIRPAINTI District- Bhagalpur

1. Suraj Paswan Son of Late Karu Paswan Resident of Village - Olapur, P.S.- Pirpaity, Distt.- Bhagalpur.
2. Sunita Devi W/o Suraj Paswan Resident of Village - Olapur, P.S.- Pirpaity, Distt.- Bhagalpur.
3. Harprit Kumar Paswan @ Harprit Paswan Son of Suraj Paswan Resident of Village - Olapur, P.S.- Pirpaity, Distt.- Bhagalpur.
4. Nagita Kumari D/o Suraj Paswan Resident of Village - Olapur, P.S.- Pirpaity, Distt.- Bhagalpur.
5. Manoj Paswan Son of Khokha Paswan Resident of Village - Pista, P.S.- Jagdishpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal, Advocate
For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-02-2020 Heard learned counsel for the petitioners and

learned A.P.P for the State.

The petitioners apprehend their arrest in **Pirpaity**
P.S. Case No. 103 of 2019, registered for the offence punishable
under Sections 341, 323, 448, 307, 504 and 34 of the Indian
Penal Code.

It is alleged that all the accused persons assaulted
the informant and family members with lathi, danda.

It is submitted that petitioners have falsely been



implicated in this case. There is case and counter case. Both sides sustained injuries. Injuries sustained by the informant sides are simple in nature. Section 307 of the Indian Penal Code is not made out in this case. Petitioners have got clean antecedent.

Considering the facts aforesaid, the petitioners above-named in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XI, Bhagalpur in connection with Pirpaity P.S. Case No. 103 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioners 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, their bail bonds shall be liable to be cancelled by the court below.



(ii) If the petitioners tamper 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 petitioners.

(Prabhat Kumar Singh, J)

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