

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83614 of 2019

Arising Out of PS. Case No.-241 Year-2019 Thana- MAHUA District- Vaishali

1. UPENDRA PASWAN S/o Late Mahendra Paswan
 2. Vikas Kumar S/o Upendra Paswan
 3. Ramesh Paswan S/o Upendra Paswan
 4. Manish Kumar S/o Bharat Paswan
 5. Satish Kumar S/o Bharat Paswan
 6. Gandhi Paswan @ Sanjiv Paswan S/o Nagina Paswan
 7. Daulatia Devi W/o Ramesh Paswan
- All R/o Village - Belkunda, P.S. - Mahua, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Namrata Mishra, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 04-11-2020 The matter has been taken up through virtual Court proceeding.

Petitioner No. 3 Ramesh Paswan has already been arrested in this case. Hence, his prayer for anticipatory bail is infructuous now.

Heard learned counsel for the petitioner no. 1, 2, 4, 5, 6 and 7 and learned Additional Public Prosecutor for the State.

The petitioner no. 1, 2, 4, 5, 6 and 7 are apprehending their arrest in a case registered for the offences punishable under Sections 147, 447, 448, 341, 323, 324, 307, 427, 354 and 379 of the Indian Penal Code.



Though some of the petitioner bears specific allegation of commission of injury at the head. However, the case diary does not reveal that injury report was procured by the Investigating Officer.

Considering the facts aforesaid, let the petitioner no. 1 Upendra Paswan, petitioner no. 2 Vikas Kumar, petitioner no. 4 Manish Kumar, petitioner no. 5 Satish Kumar, petitioner no. 6 Gandhi Paswan @ Sanjiv Paswan and petitioner no. 7 Daulatia Devi, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Mahua Police Station Case No. 241 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner no. 1, 2, 4, 5, 6 and 7 shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner no. 1, 2, 4, 5, 6 and 7.



(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioner no. 1, 2, 4, 5, 6 and 7 shall not leave the country without permission of the learned trial court.

Let the Superintendent of Police, Vaishali at Hazipur be informed about inaction of the Investigating Officer in not obtaining the injury report of the injureds.

(Birendra Kumar, J)

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