

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86084 of 2019

Arising Out of PS. Case No.-176 Year-2019 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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1. JIUT PASWAN, S/O Loko Paswan
 2. Kanhaiya Paswan, S/O- Jiut Paswan, Both R/vill Nauhatta, P.S. Belon
(Bhagwanpur), Distt. Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 24-01-2020 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 327, 504, 509 and 354/34 of the Indian Penal Code.

Petitioner No. 2 Kanhaiya Paswan allegedly caused injury at the head of the informant with *Gandasa*. The Doctor has found a lacerated wound at the mid of scalp, simple in nature.

Considering the fact that petitioner no. 2-Kanhaiya Paswan had knowledge that his act might cause death, I am not inclined to enlarge the petitioner no. 2 on anticipatory bail.

Hence, prayer of the petitioner no. 2-Kanhaiya Paswan for anticipatory bail is refused.



Petitioner No. 1 Jiut Paswan is carrying no such allegation, hence, let the petitioner no. 1-Jiut Paswan, in the event of his 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 bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Bhagwanpur (Belaon) Police Station Case No. 176 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 shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner no. 1.

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

(c) The petitioner no. 1 shall not leave the country without permission of the trial court.

(Birendra Kumar, J)

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